

## STATE OF MINNESOTA

## EIGHTY-EIGHTH SESSION — 2013

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 TWELFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 11, 2013

The House of Representatives convened at 3:00 p.m. and was called to order by Paul Thissen, Speaker of the House.

Prayer was offered by the Reverend Lamont Koerner, Mount Calvary Lutheran Church, Eagan, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dehn, R.	Hansen	Lesch	Myhra	Schoen
Albright	Dettmer	Hausman	Liebling	Nelson	Schomacker
Allen	Dorholt	Hertaus	Lien	Newberger	Scott
Anderson, M.	Drazkowski	Hilstrom	Lillie	Newton	Selcer
Anderson, P.	Erhardt	Holberg	Loeffler	Norton	Simon
Anderson, S.	Erickson, R.	Hoppe	Lohmer	O'Driscoll	Simonson
Anzenc	Erickson, S.	Hornstein	Loon	O'Neill	Sundin
Atkins	Fabian	Hortman	Mahoney	Paymar	Swedzinski
Barrett	Falk	Howe	Mariani	Pelowski	Torkelson
Beard	Faust	Huntley	Marquart	Peppin	Uglen
Benson, J.	Fischer	Isaacson	Masin	Persell	Urdahl
Benson, M.	FitzSimmons	Johnson, B.	McDonald	Petersburg	Wagenius
Bernardy	Franson	Johnson, S.	McNamar	Poppe	Ward, J.A.
Bly	Freiberg	Kahn	McNamara	Pugh	Ward, J.E.
Brynaert	Fritz	Kelly	Melin	Quam	Wills
Carlson	Garofalo	Kieffer	Metsa	Radinovich	Winkler
Clark	Gruenhagen	Kiel	Moran	Rosenthal	Woodard
Daudt	Gunther	Kresha	Morgan	Runbeck	Yarusso
Davids	Hackbarth	Laine	Mullery	Sanders	Zerwas
Davnie	Halverson	Leidiger	Murphy, E.	Savick	Spk. Thissen
Dean, M.	Hamilton	Lenczewski	Murphy, M.	Sawatzky	

A quorum was present.

Slocum was excused.

Green was excused until 3:30 p.m. Mack was excused until 3:50 p.m. Dill was excused until 4:15 p.m. Cornish was excused until 4:40 p.m. Normes was excused until 5:40 p.m. Zellers was excused until 9:15 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

### **REPORTS OF STANDING COMMITTEES AND DIVISIONS**

Carlson from the Committee on Ways and Means to which was referred:

H. F. No. 251, A bill for an act relating to agriculture; extending the sunset date for the Farmer-Lender Mediation Act; amending Minnesota Statutes 2012, section 583.215.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Carlson from the Committee on Ways and Means to which was referred:

S. F. No. 58, A bill for an act relating to state government; ratifying labor agreements and compensation plans.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

### **SECOND READING OF HOUSE BILLS**

H. F. No. 251 was read for the second time.

### **SECOND READING OF SENATE BILLS**

S. F. No. 58 was read for the second time.

### **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Kahn, Carlson, Loeffler, Davnie and Clark introduced:

H. F. No. 434, A bill for an act relating to capital investment; appropriating money for the rehabilitation of the Franklin Avenue Bridge; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Schoen, Abeler, Zerwas, Fritz and Murphy, E., introduced:

H. F. No. 435, A bill for an act relating to health; improving access to health care delivered by advanced practice registered nurses; providing penalties; amending Minnesota Statutes 2012, sections 148.171, subdivisions 3, 5, 9, 10, 11, 13, 16, 21, by adding subdivisions; 148.181, subdivision 1; 148.191, subdivision 2; 148.211, subdivision 2, by adding subdivisions; 148.231, subdivisions 1, 4, 5; 148.233, subdivision 2; 148.234; 148.235, by adding subdivisions; 148.251, subdivision 1; 148.261, subdivision 1; 148.262, subdivisions 1, 2, 4; 148.271; 148.281, subdivision 1, by adding a subdivision; repealing Minnesota Statutes 2012, sections 148.171, subdivision 6; 148.235, subdivisions 1, 2, 2a, 4, 4a, 4b, 6, 7; 148.284.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Wagenius, Mahoney, Fischer, Bly and Dean, M., introduced:

H. F. No. 436, A bill for an act relating to water; requiring priority to be given to projects that use wastewater; amending Minnesota Statutes 2012, section 116.182, subdivision 5.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Pelowski introduced:

H. F. No. 437, A bill for an act relating to education; postsecondary; establishing the governor's budget for higher education; appropriating money to the Office of Higher Education, the Board of Trustees of the Minnesota State Colleges and Universities, the Board of Regents of the University of Minnesota, and the Mayo Clinic; making technical changes; amending Minnesota Statutes 2012, sections 136A.121, subdivisions 2, 5; 136A.125, subdivisions 2, 4; 136A.126, subdivision 1; 136A.131, by adding a subdivision; 136A.233, subdivision 2; repealing Minnesota Rules, part 4830.0100, subpart 5, item F.

The bill was read for the first time and referred to the Committee on Higher Education Finance and Policy.

Howe, Dorholt and Gruenhagen introduced:

H. F. No. 438, A bill for an act relating to energy; requesting the Legislative Energy Commission to study issues related to high-voltage transmission line routing.

The bill was read for the first time and referred to the Committee on Energy Policy.

Howe, Dorholt and Gruenhagen introduced:

H. F. No. 439, A bill for an act relating to energy; regulating the routing of high-voltage transmission lines; amending Minnesota Statutes 2012, sections 216E.03, subdivision 7; 216E.12, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Energy Policy.

Hilstrom introduced:

H. F. No. 440, A bill for an act relating to judiciary; modifying certain provisions relating to the State Guardian Ad Litem Board amending Minnesota Statutes 2012, sections 260B.163, subdivision 6; 260B.331, subdivision 6; 260C.163, subdivision 5; 260C.331, subdivision 6; 480.35, subdivision 1; 518.165, subdivisions 1, 3.

The bill was read for the first time and referred to the Committee on Judiciary Finance and Policy.

Hilstrom introduced:

H. F. No. 441, A bill for an act relating to the state auditor; requiring employees and officers of local public pension plans to report unlawful actions; amending Minnesota Statutes 2012, section 609.456, subdivision 1.

The bill was read for the first time and referred to the Committee on Government Operations.

Newton, Abeler, Hortman and Uglem introduced:

H. F. No. 442, A bill for an act relating to capital investment; appropriating money for a bioscience addition at Anoka-Ramsey Community College; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Higher Education Finance and Policy.

Newton, Abeler, Hortman and Uglem introduced:

H. F. No. 443, A bill for an act relating to capital investment; appropriating money for Higher Education Asset Preservation and Replacement at Anoka Technical College and Anoka-Ramsey Community College; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Higher Education Finance and Policy.

Gunther, Mahoney, Moran, Leidiger, Lesch and Metsa introduced:

H. F. No. 444, A bill for an act relating to employment; providing for performance-based grants; appropriating money.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance and Policy.

Davids introduced:

H. F. No. 445, A bill for an act relating to taxation; individual income; conforming to the income tax provisions of the American Taxpayer Relief Act affecting the computation of the standard deduction; amending Minnesota Statutes 2012, section 290.01, subdivision 31.

The bill was read for the first time and referred to the Committee on Taxes.

Hortman introduced:

H. F. No. 446, A bill for an act relating to commerce; regulating building and construction contracts and indemnification agreements; amending Minnesota Statutes 2012, sections 337.01; 337.02; 337.05, subdivision 1; 337.10.

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Liebling, Norton, Quam and Benson, M., introduced:

H. F. No. 447, A bill for an act relating to human services; appropriating money for programs related to reducing fetal alcohol syndrome.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Bernardy, Davnie, Mariani, Garofalo, Anzelc and Newton introduced:

H. F. No. 448, A bill for an act relating to education finance; increasing school lunch aid; amending Minnesota Statutes 2012, section 124D.111, subdivision 1.

The bill was read for the first time and referred to the Committee on Education Finance.

Simonson, McNamar, Torkelson and Huntley introduced:

H. F. No. 449, A bill for an act relating to public safety; modifying provisions relating to 911 funds to make them available for statewide public safety radio communications; amending Minnesota Statutes 2012, section 403.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 403.

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy.

Atkins introduced:

H. F. No. 450, A bill for an act relating to civil actions; modifying the limitations of actions for damages based on services or construction to improve real property; amending Minnesota Statutes 2012, section 541.051.

The bill was read for the first time and referred to the Committee on Civil Law.

Kresha; Uglem; Anderson, M.; Howe and Hertaus introduced:

H. F. No. 451, A bill for an act relating to taxation; property; modifying the penalties for late payment; amending Minnesota Statutes 2012, section 279.01, subdivision 1; repealing Minnesota Statutes 2012, section 279.01, subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

Zellers introduced:

H. F. No. 452, A bill for an act relating to taxation; authorizing the city of Maple Grove to create a soil deficiency tax increment financing district subject to special rules.

The bill was read for the first time and referred to the Committee on Taxes.

Dorholt, Norton, Abeler, Schomacker and Fritz introduced:

H. F. No. 453, A bill for an act relating to human services; modifying medical assistance coverage to include consultations with psychologists; amending Minnesota Statutes 2012, section 256B.0625, subdivision 48.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Ward, J.A.; Lillie; Fischer; Johnson, S.; Schoen and Mahoney introduced:

H. F. No. 454, A bill for an act relating to capital investment; appropriating money for acquisition of land for the Fish Creek Natural Greenway; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance.

Schoen, Abeler, Mack, Liebling and Fritz introduced:

H. F. No. 455, A bill for an act relating to human services; creating a chemical health navigation program; proposing coding for new law in Minnesota Statutes, chapter 254B.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Ward, J.E.; Uglem; Erhardt; Runbeck; Newberger; Lohmer and Pugh introduced:

H. F. No. 456, A bill for an act relating to game and fish; modifying body-gripping trap restrictions; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 2012, section 97B.903.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Fritz introduced:

H. F. No. 457, A bill for an act relating to education finance; appropriating money to upgrade the kitchen at the Minnesota State Academies for the Deaf and Blind.

The bill was read for the first time and referred to the Committee on Education Finance.

Persell, Loon, Savick, Melin, Franson, Freiberg, Hortman, Wagenius, Simon, Brynaert, Hornstein and Morgan introduced:

H. F. No. 458, A bill for an act relating to public health; banning formaldehyde in certain children's products; proposing coding for new law in Minnesota Statutes, chapter 325F.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Atkins, Hortman, Abeler, Hilstrom, Franson, Wagenius, Simon, Brynaert, Hornstein and Morgan introduced:

H. F. No. 459, A bill for an act relating to children's health; prohibiting sale of children's food containers containing bisphenol-A; proposing coding for new law in Minnesota Statutes, chapter 325F.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Ward, J.E., and Radinovich introduced:

H. F. No. 460, A bill for an act relating to capital investment; appropriating money for a new veterans nursing home in Brainerd; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on State Government Finance and Veterans Affairs.

Benson, J., introduced:

H. F. No. 461, A bill for an act relating to natural resources; requiring rulemaking to allow mechanical control of hybrid and narrow-leaved cattail without an aquatic plant management permit.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Poppe introduced:

H. F. No. 462, A bill for an act relating to renewable energy; establishing definitions; providing a sunset date for the cellulosic ethanol production goal; converting the ethanol minimum content requirement to a biofuel requirement; expanding the petroleum replacement goal; requiring a biofuels task force; repealing E20 mandate language; amending Minnesota Statutes 2012, sections 41A.10, subdivision 2, by adding a subdivision; 116J.437, subdivision 1; 239.051, by adding subdivisions; 239.791, subdivisions 1, 2a, 2b; 239.7911; repealing Minnesota Statutes 2012, section 239.791, subdivision 1a.

The bill was read for the first time and referred to the Committee on Agriculture Policy.

Kahn; Liebling; Clark; Winkler; Loeffler; Bly; McNamar; Carlson; Murphy, M.; Selcer; Savick; Persell; Masin; Moran and Nelson introduced:

H. F. No. 463, A bill for an act relating to employment; requiring pregnancy leave; requiring employment accommodations for pregnant women; amending Minnesota Statutes 2012, section 181.942, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 181.

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries.

Holberg; Erickson, S., and Myhra introduced:

H. F. No. 464, A bill for an act relating to education; establishing notice requirements for student surveys and similar instruments; proposing coding for new law in Minnesota Statutes, chapter 121A.

The bill was read for the first time and referred to the Committee on Education Policy.

Benson, J.; Carlson; Anderson, S.; Peppin; Selcer; Winkler and Simon introduced:

H. F. No. 465, A bill for an act relating to transportation; highways; appropriating money for adding lanes to a portion of Interstate Highway 494; authorizing sale of trunk highway bonds.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Anderson, P., introduced:

H. F. No. 466, A bill for an act relating to taxation; eliminating sales tax on purchases by political subdivisions; amending Minnesota Statutes 2012, section 297A.70, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Melin, Metsa, Anzelc and Dill introduced:

H. F. No. 467, A bill for an act relating to capital investment; appropriating money for capital improvements at the Range Regional Airport terminal; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Nornes introduced:

H. F. No. 468, A bill for an act relating to capital investment; appropriating money for renovation and expansion of the Perham Area Community Center; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance and Policy.

Fischer; Lillie; Erhardt; Ward, J.A., and Yarusso introduced:

H. F. No. 469, A bill for an act relating to taxation; eliminating sales tax on purchases by political subdivisions; amending Minnesota Statutes 2012, section 297A.70, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Runbeck; Simonson; Persell; Zerwas; Uglem; Johnson, B., and Scott introduced:

H. F. No. 470, A bill for an act relating to emergency medical services; permitting local units of government to designate an ambulance service to serve its area; amending Minnesota Statutes 2012, section 144E.06.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Runbeck; Simonson; Persell; Johnson, B.; Schomacker; Zerwas; Uglem and Scott introduced:

H. F. No. 471, A bill for an act relating to emergency medical services; authorizing local units of government to charge a fee for use of public systems and for certain prehospital care; proposing coding for new law in Minnesota Statutes, chapter 144E.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Runbeck; Simonson; Abeler; Persell; Johnson, B.; Schomacker; Zerwas; Uglem and Scott introduced:

H. F. No. 472, A bill for an act relating to emergency medical services; modifying certain reporting requirements; amending Minnesota Statutes 2012, section 144E.123.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Poppe and Wagenius introduced:

H. F. No. 473, A bill for an act relating to agriculture; establishing the governor's budget for agriculture; appropriating money to the Department of Agriculture, the Board of Animal Health, and the Agricultural Utilization Research Institute; modifying provisions related to animal waste technicians; making technical changes; amending Minnesota Statutes 2012, sections 17.03, subdivision 3; 17.1015; 18C.430; 18C.433, subdivision 1.

The bill was read for the first time and referred to the Committee on Agriculture Policy.

Holberg, Scott and Johnson, B., introduced:

H. F. No. 474, A bill for an act relating to data practices; classifying data related to automated license plate readers; requiring a log of use; requiring data to be destroyed in certain circumstances; amending Minnesota Statutes 2012, section 13.82, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Civil Law.

Simon; Winkler; Selcer; Rosenthal; Hornstein; Hortman; Benson, J.; Carlson and Erhardt introduced:

H. F. No. 475, A bill for an act relating to capital investment; appropriating money for the Southwest Corridor light rail transit line; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Drazkowski and Davids introduced:

H. F. No. 476, A bill for an act relating to the Rochester local sales tax; modifying the list of cities that share some of the revenue; amending Laws 1998, chapter 389, article 8, section 43, subdivision 3, as amended.

The bill was read for the first time and referred to the Committee on Taxes.

Davnie; Bernardy; Erickson, S.; Bly and Mariani introduced:

H. F. No. 477, A bill for an act relating to education; standardizing requirements for an adult high school diploma; establishing an advisory task force; authorizing rulemaking; amending Minnesota Statutes 2012, section 124D.52, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education Policy.

Brynaert and Erhardt introduced:

H. F. No. 478, A bill for an act relating to public safety; traffic regulations; expanding requirement of display of vehicle lighting; amending Minnesota Statutes 2012, section 169.48.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Dehn, R.; Moran; Radinovich; Clark; Dorholt and Isaacson introduced:

H. F. No. 479, A bill for an act relating to public safety; establishing certificates of good conduct and describing the effects of a certificate and eligibility; appropriating money; amending Minnesota Statutes 2012, sections 364.03, subdivision 3; 364.09; 609A.03, subdivisions 1, 2; 611A.06, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 364.

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy.

Dehn, R.; Carlson; Freiberg; Nelson; Hilstrom and Hortman introduced:

H. F. No. 480, A bill for an act relating to capital investment; appropriating money for the Bottineau Transit Way corridor; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Ward, J.A.; Hausman; Ward, J.E.; Hansen; Radinovich; Wagenius; Sawatzky and Johnson, S., introduced:

H. F. No. 481, A bill for an act relating to capital investment; appropriating money for Reinvest in Minnesota (RIM) Conservation Reserve; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance.

Atkins introduced:

H. F. No. 482, A bill for an act relating to civil actions; providing for the survival or continuation of an action after the death or disability of a party; proposing coding for new law in Minnesota Statutes, chapter 540; repealing Minnesota Statutes 2012, section 573.01.

The bill was read for the first time and referred to the Committee on Civil Law.

Fritz; Liebling; Zerwas; Huntley; Newton; Norton; Moran; Ward, J.A., and Abeler introduced:

H. F. No. 483, A bill for an act relating to health; requiring screening of newborns for critical congenital heart disease; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Newton and Uglem introduced:

H. F. No. 484, A bill for an act relating to human services; extending reporting requirements for home and community-based waivers; amending Minnesota Statutes 2012, section 256B.0916, subdivision 7.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Allen, Liebling, Huntley, Clark, Paymar, Norton, Cornish, Schomacker, Simon, Abeler and Rosenthal introduced:

H. F. No. 485, A bill for an act relating to sexually exploited youth; establishing a director of child sex trafficking prevention; modifying provisions relating to sexually exploited youth; establishing and amending grant programs relating to combatting sexual exploitation of youth; providing related services and housing to victims; appropriating money; amending Minnesota Statutes 2012, sections 260B.007, subdivisions 6, 16; 260C.007, subdivisions 6, 31; 260C.176, subdivisions 1, 3, 5; 260C.178, subdivision 1; 260C.181, subdivision 2, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 2012, section 609.093.

The bill was read for the first time and referred to the Committee on Early Childhood and Youth Development Policy.

Laine, Bernardy, Loeffler, Clark and Moran introduced:

H. F. No. 486, A bill for an act relating to public safety; permitting violent felons to petition the Board of Pardons to have their ability to possess a firearm restored; amending Minnesota Statutes 2012, sections 242.31, subdivision 2a; 260B.245, subdivision 1; 609.165, subdivisions 1a, 1b; 609A.03, subdivision 5a; 609B.611; 624.713, subdivision 2; 638.02, subdivision 1, by adding subdivisions; 638.07; repealing Minnesota Statutes 2012, section 609.165, subdivision 1d.

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy.

Hausman, Hornstein, Erhardt, Kahn and Davnie introduced:

H. F. No. 487, A bill for an act relating to public safety; traffic regulations; authorizing local authorities to regulate traffic at intersections using traffic safety cameras; amending Minnesota Statutes 2012, sections 169.011, by adding a subdivision; 169.04.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Holberg, Mahoney, Scott, Hornstein, Paymar, Cornish and Johnson, B., introduced:

H. F. No. 488, A bill for an act relating to data practices; requiring destruction of automated license plate reader data; amending Minnesota Statutes 2012, section 13.82, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Civil Law.

Lenczewski introduced:

H. F. No. 489, A bill for an act relating to taxation; making technical and clarifying changes to income and franchise taxes, property taxes, sales and use taxes, and other taxes and tax provisions; amending Minnesota Statutes 2012, sections 13.4965, subdivision 3; 16A.46; 270.41, subdivision 5; 270C.42, subdivision 2; 272.01, subdivision 2; 272.02, subdivision 97; 273.032; 273.124, subdivision 13; 273.1315, subdivisions 1, 2; 273.19, subdivision 1; 273.39; 279.06, subdivision 1; 287.20, by adding a subdivision; 287.385, subdivision 7; 289A.10, by adding a subdivision; 289A.12, by adding a subdivision; 289A.18, by adding a subdivision; 289A.20, subdivisions 3, 4, by adding a subdivision; 289A.26, subdivisions 3, 4, 7, 9; 289A.55, subdivision 9; 289A.60, subdivision 4; 290.01, subdivisions 6b, 19b, 19c, 19d; 290.0921, subdivision 3; 290.17, subdivision 4; 290A.25; 296A.22, subdivisions 1, 3; 297B.11; 297E.14, subdivision 7; 297F.09, subdivision 9; 297F.18, subdivision 7; 297G.04, subdivision 2; 297G.09, subdivision 8; 297G.17, subdivision 7; 297I.05, subdivision 11; 297I.80, subdivision 1; 298.01, subdivision 3; 298.018; 373.01, subdivision 1; 469.319, subdivision 4; 469.340, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 273; repealing Minnesota Statutes 2012, sections 272.69; 273.11, subdivisions 1a, 22; 289A.60, subdivision 31.

The bill was read for the first time and referred to the Committee on Taxes.

Lenczewski introduced:

H. F. No. 490, A bill for an act relating to taxation; making policy changes to income and franchise taxes, property taxes, sales and use taxes, and other taxes and tax provisions; amending Minnesota Statutes 2012, sections 123A.455, subdivision 1; 270.077; 270C.34, subdivision 1; 270C.38, subdivision 1; 272.03, subdivision 9; 273.114, subdivision 6; 273.13, subdivisions 23, 25; 273.372, subdivision 4; 289A.12, subdivision 14; 290.9705, subdivision 1; 290B.04, subdivision 2; 296A.01, subdivision 19; 297A.665; 297F.01, subdivision 23; 297I.05, subdivisions 7, 12; 297I.30, subdivisions 1, 2.

The bill was read for the first time and referred to the Committee on Taxes.

Dehn, R.; Fischer; Isaacson; Loeffler; Newton; Mahoney; Clark; Kahn; Davnie and Moran introduced:

H. F. No. 491, A bill for an act relating to elections; voting; restoring the civil rights of an individual upon release from incarceration; requiring notice; amending Minnesota Statutes 2012, sections 201.014, by adding a subdivision; 201.071, subdivision 1; 201.155; 204C.08, subdivision 1d; 204C.10; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 201; 243.

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy.

Loeffler, Davnie, Rosenthal and Davids introduced:

H. F. No. 492, A bill for an act relating to taxation; sales and use; defining solicitor for nexus purposes; amending Minnesota Statutes 2012, section 297A.66, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Simonson introduced:

H. F. No. 493, A bill for an act relating to taxation; repealing the sales tax exemption for clothing; adjusting the sales tax rate; creating an income tax credit; amending Minnesota Statutes 2012, section 297A.62, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 2012, section 297A.67, subdivision 8.

The bill was read for the first time and referred to the Committee on Taxes.

Simonson introduced:

H. F. No. 494, A bill for an act relating to human services; modifying set aside considerations; amending Minnesota Statutes 2012, section 245C.22, subdivision 4.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Sanders and Newton introduced:

H. F. No. 495, A bill for an act relating to retirement; changing the durational time limit for certain public employees excluded from participation as members of the Public Employee Retirement Association; amending Minnesota Statutes 2012, section 353.01, subdivision 2b.

The bill was read for the first time and referred to the Committee on Government Operations.

Laine, Newton and Abeler introduced:

H. F. No. 496, A bill for an act relating to local government; changing the requirements for expedited supplemental nutrition assistance; amending Minnesota Statutes 2012, section 393.07, subdivision 10a.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Johnson, S., and Mariani introduced:

H. F. No. 497, A bill for an act relating to taxation; property; reattaching land constituting an intermediate airport to the city and school district where the property is located; amending Minnesota Statutes 2012, sections 473.625; 473F.02, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Mahoney; Johnson, S.; Cornish; Lesch; Metsa; Moran; Dehn, R.; Nelson; Melin; Dorholt and Schoen introduced:

H. F. No. 498, A bill for an act relating to employment; limiting reliance on criminal history for employment purposes; applying criminal offender rehabilitation requirements to private employers; providing for remedies; amending Minnesota Statutes 2012, sections 181.981, subdivision 1; 364.02, subdivisions 4, 6; 364.021; 364.03; 364.04; 364.05; 364.06; 364.07; 364.09; 364.10.

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries.

FitzSimmons; Albright; Petersburg; Lohmer; O'Neill; Hertaus; Benson, M.; Erickson, S.; Kieffer and Runbeck introduced:

H. F. No. 499, A bill for an act relating to public safety; State Fire Code; prohibiting sprinkler requirements in single-family dwellings; amending Minnesota Statutes 2012, section 299F.011, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Masin; Sundin; Beard; Hamilton; Mahoney; Erhardt; Metsa; O'Neill; Howe; Dehn, R., and Hornstein introduced:

H. F. No. 500, A bill for an act relating to public safety; drivers' licenses; increasing the filing fee charged by driver's license agents; amending Minnesota Statutes 2012, section 171.061, subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Hilstrom introduced:

H. F. No. 501, A bill for an act relating to government data; permitting medical examiners and coroners to use license and identification card photographs under certain circumstances; amending Minnesota Statutes 2012, section 171.07, subdivision 1a.

The bill was read for the first time and referred to the Committee on Civil Law.

Cornish and Abeler introduced:

H. F. No. 502, A bill for an act relating to human services; modifying the adoption assistance program to allow reimbursement for child care; amending Minnesota Statutes 2012, section 259A.20, subdivision 4.

The bill was read for the first time and referred to the Committee on Early Childhood and Youth Development Policy.

Metsa and Anzelc introduced:

H. F. No. 503, A bill for an act relating to capital investment; appropriating money for relocation of trails and utilities in the city of Virginia made necessary by marked Trunk Highway 53 relocation; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance.

Metsa, Gunther, Mahoney, Kieffer, Atkins, Melin, Schoen, Isaacson, Hertaus, Leidiger, Zellers and Davids introduced:

H. F. No. 504, A bill for an act relating to workers' compensation reinsurance; eliminating the reinsurance association prefunded limit; amending Minnesota Statutes 2012, section 79.35.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance and Policy.

Falk introduced:

H. F. No. 505, A bill for an act relating to capital improvements; appropriating money for wastewater infrastructure improvements in Sacred Heart; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on State Government Finance and Veterans Affairs.

Atkins and Hausman introduced:

H. F. No. 506, A bill for an act relating to commerce; regulating employment agreements; voiding certain noncompete agreements; proposing coding for new law in Minnesota Statutes, chapter 325D.

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries.

Simonson, Fischer and Runbeck introduced:

H. F. No. 507, A bill for an act relating to taxes; creating a Tax Expenditure Advisory Commission; providing for review and sunset of tax expenditures; proposing coding for new law as Minnesota Statutes, chapter 290D.

The bill was read for the first time and referred to the Committee on Government Operations.

Hausman introduced:

H. F. No. 508, A bill for an act relating to public safety; authorizing courts to recognize a necessity defense for certain criminal, administrative, and civil cases involving natural herbs of the genus Cannabis; proposing coding for new law in Minnesota Statutes, chapter 634.

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy.

Huntley introduced:

H. F. No. 509, A bill for an act relating to state government; modifying medical education and research cost account distributions; increasing the cigarette and tobacco products taxes and fees; modifying definitions; changing certain tax provisions; imposing a floor stocks tax on cigarettes; adjusting the rate of the cigarette sales tax; appropriating money; amending Minnesota Statutes 2012, sections 16A.724, subdivision 2; 62J.692, by adding subdivisions; 295.52, subdivision 8; 297F.01, subdivisions 3, 19; 297F.05, subdivisions 1, 3, 4; 297F.10; 325D.32, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Dehn, R.; Moran; Clark; Nelson; Fischer; Isaacson and Schoen introduced:

H. F. No. 510, A bill for an act relating to economic development; requiring state agencies to establish youth internships or apprenticeships; encouraging utilization of small businesses in state procurement; promoting ethnic and cultural heritage tourism; amending Minnesota Statutes 2012, sections 16C.18, by adding a subdivision; 16C.20; 124D.47, subdivision 2; 129D.17, subdivision 2.

The bill was read for the first time and referred to the Committee on Early Childhood and Youth Development Policy.

Newton, Uglem and Fischer introduced:

H. F. No. 511, A bill for an act relating to local government; providing for additional financing of parks, trails, and recreational facilities for local units of government by special fees; proposing coding for new law in Minnesota Statutes, chapter 448.

The bill was read for the first time and referred to the Committee on Government Operations.

### CALENDAR FOR THE DAY

H. F. No. 6 was reported to the House.

Anderson, S., offered an amendment to H. F. No. 6.

### POINT OF ORDER

Murphy, E., raised a point of order pursuant to rule 4.05, relating to Amendment Limits that the Anderson, S., amendment was not in order. The Speaker ruled the point of order well taken and the Anderson, S., amendment out of order.

Anderson, S., appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 71 yeas and 54 nays as follows:

Those who voted in the affirmative were:

Allen	Erhardt	Hornstein	Loeffler	Murphy, M.	Schoen
Anzelc	Erickson, R.	Hortman	Mahoney	Nelson	Selcer
Atkins	Falk	Huntley	Mariani	Newton	Simon
Benson, J.	Faust	Isaacson	Marquart	Norton	Simonson
Bernardy	Fischer	Johnson, S.	Masin	Paymar	Sundin
Bly	Freiberg	Kahn	McNamar	Pelowski	Wagenius
Brynaert	Fritz	Laine	Melin	Persell	Ward, J.A.
Carlson	Garofalo	Lenczewski	Metsa	Poppe	Ward, J.E.
Clark	Halverson	Lesch	Moran	Radinovich	Winkler
Davnie	Hansen	Liebling	Morgan	Rosenthal	Yarusso
Dehn, R.	Hausman	Lien	Mullery	Savick	Spk. Thissen
Dorholt	Hilstrom	Lillie	Murphy, E.	Sawatzky	

Those who voted in the negative were:

Abeler	Davids	Gunther	Kieffer	Newberger	Schomacker
Albright	Dean, M.	Hackbarth	Kiel	O'Driscoll	Scott
Anderson, M.	Dettmer	Hamilton	Kresha	O'Neill	Swedzinski
Anderson, P.	Drazkowski	Hertaus	Leidiger	Peppin	Torkelson
Anderson, S.	Erickson, S.	Holberg	Lohmer	Petersburg	Uglen
Barrett	Fabian	Hoppe	Loon	Pugh	Urdahl
Beard	FitzSimmons	Howe	McDonald	Quam	Wills
Benson, M.	Franson	Johnson, B.	McNamara	Runbeck	Woodard
Daudt	Gruenhagen	Kelly	Myhra	Sanders	Zerwas

So it was the judgment of the House that the decision of the Speaker should stand.

Holberg moved to amend H. F. No. 6 as follows:

Page 3, after line 20, insert:

"Sec. 5. **BUDGET RESERVE ACCOUNT; FEBRUARY 2013 FORECAST.**

Notwithstanding any requirements of Minnesota Statutes, section 16A.152, subdivision 2, to the contrary, the budget reserve account requirement, under Minnesota Statutes, section 16A.152, subdivision 2, paragraph (a), clause (2), for the February 2013 budget forecast, is \$625,752,000.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 6. **BUDGET RESERVE ACCOUNT; REDUCTION.**

The commissioner of management and budget shall reduce the amount in the budget reserve account established under Minnesota Statutes, section 16A.152, subdivision 1a, by \$18,510,000.

**EFFECTIVE DATE.** This section is effective the day following final enactment."

A roll call was requested and properly seconded.

The question was taken on the Holberg amendment and the roll was called. There were 58 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean, M.	Gunther	Kiel	O'Neill	Selcer
Albright	Dettmer	Hackbarth	Kresha	Peppin	Swedzinski
Anderson, M.	Drazkowski	Hamilton	Leidiger	Petersburg	Torkelson
Anderson, P.	Erickson, S.	Hertaus	Lohmer	Pugh	Uglen
Anderson, S.	Fabian	Holberg	Loon	Quam	Urdahl
Barrett	FitzSimmons	Hoppe	McDonald	Rosenthal	Wills
Beard	Franson	Howe	McNamara	Runbeck	Woodard
Benson, M.	Garofalo	Johnson, B.	Myhra	Sanders	Zerwas
Daudt	Green	Kelly	Newberger	Schomacker	
Davids	Gruenhagen	Kieffer	O'Driscoll	Scott	

Those who voted in the negative were:

Allen	Erhardt	Hortman	Mahoney	Nelson	Simonson
Anzelc	Erickson, R.	Huntley	Mariani	Newton	Sundin
Atkins	Falk	Isaacson	Marquart	Norton	Wagenius
Benson, J.	Faust	Johnson, S.	Masin	Paymar	Ward, J.A.
Bernardy	Fischer	Kahn	McNamar	Pelowski	Ward, J.E.
Bly	Freiberg	Laine	Melin	Persell	Winkler
Brynaert	Fritz	Lenczewski	Metsa	Poppe	Yarusso
Carlson	Halverson	Lesch	Moran	Radinovich	Spk. Thissen
Clark	Hansen	Liebling	Morgan	Savick	
Davnie	Hausman	Lien	Mullery	Sawatzky	
Dehn, R.	Hilstrom	Lillie	Murphy, E.	Schoen	
Dorholt	Hornstein	Loeffler	Murphy, M.	Simon	

The motion did not prevail and the amendment was not adopted.

Davids moved to amend H. F. No. 6 as follows:

Page 3, line 19, delete "April 15" and insert "June 1"

The motion prevailed and the amendment was adopted.

Anderson, S., moved to amend H. F. No. 6, as amended, as follows:

Page 2, after line 26, insert:

"Sec. 2. Minnesota Statutes 2012, section 290.01, subdivision 19a, is amended to read:

Subd. 19a. **Additions to federal taxable income.** For individuals, estates, and trusts, there shall be added to federal taxable income:

(1)(i) interest income on obligations of any state other than Minnesota or a political or governmental subdivision, municipality, or governmental agency or instrumentality of any state other than Minnesota exempt from federal income taxes under the Internal Revenue Code or any other federal statute; and

(ii) exempt-interest dividends as defined in section 852(b)(5) of the Internal Revenue Code, except:

(A) the portion of the exempt-interest dividends exempt from state taxation under the laws of the United States; and

(B) the portion of the exempt-interest dividends derived from interest income on obligations of the state of Minnesota or its political or governmental subdivisions, municipalities, governmental agencies or instrumentalities, but only if the portion of the exempt-interest dividends from such Minnesota sources paid to all shareholders represents 95 percent or more of the exempt-interest dividends, including any dividends exempt under subitem (A), that are paid by the regulated investment company as defined in section 851(a) of the Internal Revenue Code, or the fund of the regulated investment company as defined in section 851(g) of the Internal Revenue Code, making the payment; and

(iii) for the purposes of items (i) and (ii), interest on obligations of an Indian tribal government described in section 7871(c) of the Internal Revenue Code shall be treated as interest income on obligations of the state in which the tribe is located;

(2) the amount of income, sales and use, motor vehicle sales, or excise taxes paid or accrued within the taxable year under this chapter and the amount of taxes based on net income paid, sales and use, motor vehicle sales, or excise taxes paid to any other state or to any province or territory of Canada, to the extent allowed as a deduction under section 63(d) of the Internal Revenue Code, but the addition may not be more than the amount by which the itemized deductions as allowed under section 63(d) of the Internal Revenue Code exceeds the amount of the standard deduction as defined in section 63(c) of the Internal Revenue Code, disregarding the amounts allowed under sections 63(c)(1)(C) and 63(c)(1)(E) of the Internal Revenue Code, minus any addition that would have been required under clause (21) if the taxpayer had claimed the standard deduction. For the purpose of this paragraph, the disallowance of itemized deductions under section 68 of the Internal Revenue Code of 1986, income, sales and use, motor vehicle sales, or excise taxes are the last itemized deductions disallowed;

(3) the capital gain amount of a lump-sum distribution to which the special tax under section 1122(h)(3)(B)(ii) of the Tax Reform Act of 1986, Public Law 99-514, applies;

(4) the amount of income taxes paid or accrued within the taxable year under this chapter and taxes based on net income paid to any other state or any province or territory of Canada, to the extent allowed as a deduction in determining federal adjusted gross income. For the purpose of this paragraph, income taxes do not include the taxes imposed by sections 290.0922, subdivision 1, paragraph (b), 290.9727, 290.9728, and 290.9729;

(5) the amount of expense, interest, or taxes disallowed pursuant to section 290.10 other than expenses or interest used in computing net interest income for the subtraction allowed under subdivision 19b, clause (1);

(6) the amount of a partner's pro rata share of net income which does not flow through to the partner because the partnership elected to pay the tax on the income under section 6242(a)(2) of the Internal Revenue Code;

(7) 80 percent of the depreciation deduction allowed under section 168(k) of the Internal Revenue Code. For purposes of this clause, if the taxpayer has an activity that in the taxable year generates a deduction for depreciation under section 168(k) and the activity generates a loss for the taxable year that the taxpayer is not allowed to claim for the taxable year, "the depreciation allowed under section 168(k)" for the taxable year is limited to excess of the depreciation claimed by the activity under section 168(k) over the amount of the loss from the activity that is not allowed in the taxable year. In succeeding taxable years when the losses not allowed in the taxable year are allowed, the depreciation under section 168(k) is allowed;

(8) 80 percent of the amount by which the deduction allowed by section 179 of the Internal Revenue Code exceeds the deduction allowable by section 179 of the Internal Revenue Code of 1986, as amended through December 31, 2003;

(9) to the extent deducted in computing federal taxable income, the amount of the deduction allowable under section 199 of the Internal Revenue Code;

(10) for taxable years beginning before January 1, 2013, the exclusion allowed under section 139A of the Internal Revenue Code for federal subsidies for prescription drug plans;

(11) the amount of expenses disallowed under section 290.10, subdivision 2;

(12) for taxable years beginning before January 1, 2010, the amount deducted for qualified tuition and related expenses under section 222 of the Internal Revenue Code, to the extent deducted from gross income;

(13) for taxable years beginning before January 1, 2010, the amount deducted for certain expenses of elementary and secondary school teachers under section 62(a)(2)(D) of the Internal Revenue Code, to the extent deducted from gross income;

(14) the additional standard deduction for property taxes payable that is allowable under section 63(c)(1)(C) of the Internal Revenue Code;

(15) the additional standard deduction for qualified motor vehicle sales taxes allowable under section 63(c)(1)(E) of the Internal Revenue Code;

(16) discharge of indebtedness income resulting from reacquisition of business indebtedness and deferred under section 108(i) of the Internal Revenue Code;

(17) the amount of unemployment compensation exempt from tax under section 85(c) of the Internal Revenue Code;

(18) changes to federal taxable income attributable to a net operating loss that the taxpayer elected to carry back for more than two years for federal purposes but for which the losses can be carried back for only two years under section 290.095, subdivision 11, paragraph (c);

(19) to the extent included in the computation of federal taxable income in taxable years beginning after December 31, 2010, the amount of disallowed itemized deductions, but the amount of disallowed itemized deductions plus the addition required under clause (2) may not be more than the amount by which the itemized deductions as allowed under section 63(d) of the Internal Revenue Code exceeds the amount of the standard deduction as defined in section 63(c) of the Internal Revenue Code, disregarding the amounts allowed under sections 63(c)(1)(C) and 63(c)(1)(E) of the Internal Revenue Code, and reduced by any addition that would have been required under clause (21) if the taxpayer had claimed the standard deduction:

(i) the amount of disallowed itemized deductions is equal to the lesser of:

(A) three percent of the excess of the taxpayer's federal adjusted gross income over the applicable amount; or

(B) 80 percent of the amount of the itemized deductions otherwise allowable to the taxpayer under the Internal Revenue Code for the taxable year;

(ii) the term "applicable amount" means \$100,000, or \$50,000 in the case of a married individual filing a separate return. Each dollar amount shall be increased by an amount equal to:

(A) such dollar amount, multiplied by

(B) the cost-of-living adjustment determined under section 1(f)(3) of the Internal Revenue Code for the calendar year in which the taxable year begins, by substituting "calendar year 1990" for "calendar year 1992" in subparagraph (B) thereof;

(iii) the term "itemized deductions" does not include:

(A) the deduction for medical expenses under section 213 of the Internal Revenue Code;

(B) any deduction for investment interest as defined in section 163(d) of the Internal Revenue Code; and

(C) the deduction under section 165(a) of the Internal Revenue Code for casualty or theft losses described in paragraph (2) or (3) of section 165(c) of the Internal Revenue Code or for losses described in section 165(d) of the Internal Revenue Code;

(20) to the extent included in federal taxable income in taxable years beginning after December 31, 2010, the amount of disallowed personal exemptions for taxpayers with federal adjusted gross income over the threshold amount:

(i) the disallowed personal exemption amount is equal to the dollar amount of the personal exemptions claimed by the taxpayer in the computation of federal taxable income multiplied by the applicable percentage;

(ii) "applicable percentage" means two percentage points for each \$2,500 (or fraction thereof) by which the taxpayer's federal adjusted gross income for the taxable year exceeds the threshold amount. In the case of a married individual filing a separate return, the preceding sentence shall be applied by substituting "\$1,250" for "\$2,500." In no event shall the applicable percentage exceed 100 percent;

(iii) the term "threshold amount" means:

(A) \$150,000 in the case of a joint return or a surviving spouse;

(B) \$125,000 in the case of a head of a household;

(C) \$100,000 in the case of an individual who is not married and who is not a surviving spouse or head of a household; and

(D) \$75,000 in the case of a married individual filing a separate return; and

(iv) the thresholds shall be increased by an amount equal to:

(A) such dollar amount, multiplied by

(B) the cost-of-living adjustment determined under section 1(f)(3) of the Internal Revenue Code for the calendar year in which the taxable year begins, by substituting "calendar year 1990" for "calendar year 1992" in subparagraph (B) thereof; and

(21) to the extent deducted in the computation of federal taxable income, for taxable years beginning after December 31, 2010, and before January 1, ~~2013~~ 2012, and for taxable years beginning after December 31, 2012, the difference between the standard deduction allowed under section 63(c) of the Internal Revenue Code and the standard deduction allowed for 2011 ~~and 2012~~ under the Internal Revenue Code as amended through December 1, 2010.

**EFFECTIVE DATE.** This section is effective retroactively for taxable years beginning after December 31, 2011."

Page 3, after line 20, insert:

"Sec. 6. **BUDGET RESERVE ACCOUNT; FEBRUARY 2013 FORECAST.**

Notwithstanding any requirements of Minnesota Statutes, section 16A.152, subdivision 2, to the contrary, the budget reserve account requirement, under Minnesota Statutes, section 16A.152, subdivision 2, paragraph (a), clause (2), for the February 2013 budget forecast, is \$575,862,000.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 7. **BUDGET RESERVE ACCOUNT; REDUCTION.**

The commissioner of management and budget shall reduce the amount in the budget reserve account established under Minnesota Statutes, section 16A.152, subdivision 1a, by \$68,400,000.

**EFFECTIVE DATE.** This section is effective the day following final enactment."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Anderson, S., amendment and the roll was called. There were 61 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Halverson	Leidiger	Petersburg	Torkelson
Albright	Drazkowski	Hamilton	Lohmer	Pugh	Uglem
Anderson, M.	Erickson, S.	Hertaus	Loon	Quam	Urdahl
Anderson, P.	Fabian	Holberg	Mack	Radinovich	Wills
Anderson, S.	FitzSimmons	Hoppe	McDonald	Runbeck	Woodard
Barrett	Franson	Howe	McNamara	Sanders	Zerwas
Beard	Garofalo	Johnson, B.	Myhra	Sawatzky	
Benson, M.	Green	Kelly	Newberger	Schomacker	
Daudt	Gruenhagen	Kieffer	O'Driscoll	Scott	
Davids	Gunther	Kiel	O'Neill	Selcer	
Dean, M.	Hackbarth	Kresha	Peppin	Swedzinski	

Those who voted in the negative were:

Allen	Dorholt	Hornstein	Lillie	Mullery	Savick
Anzelc	Erhardt	Hortman	Loeffler	Murphy, E.	Schoen
Atkins	Erickson, R.	Huntley	Mahoney	Murphy, M.	Simon
Benson, J.	Falk	Isaacson	Mariani	Nelson	Simonson
Bernardy	Faust	Johnson, S.	Marquart	Newton	Sundin
Bly	Fischer	Kahn	Masin	Norton	Wagenius
Brynaert	Freiberg	Laine	McNamar	Paymar	Ward, J.A.
Carlson	Fritz	Lenczewski	Melin	Pelowski	Ward, J.E.
Clark	Hansen	Lesch	Metsa	Persell	Winkler
Davnie	Hausman	Liebling	Moran	Poppe	Yarusso
Dehn, R.	Hilstrom	Lien	Morgan	Rosenthal	Spk. Thissen

The motion did not prevail and the amendment was not adopted.

H. F. No. 6, A bill for an act relating to taxation; conforming certain income, franchise, and property tax refund provisions for tax year 2012 to the provisions of the Federal Aviation Administration Modernization and Reform Act of 2012 and the American Taxpayer Relief Act of 2012; amending Minnesota Statutes 2012, sections 290.01, subdivisions 19, 31; 290A.03, subdivision 15.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Hausman	Lien	Newberger	Selcer
Albright	Dorholt	Hertaus	Lillie	Newton	Simon
Allen	Drazkowski	Hilstrom	Loeffler	Norton	Simonson
Anderson, M.	Erhardt	Holberg	Lohmer	O'Driscoll	Sundin
Anderson, P.	Erickson, R.	Hoppe	Loon	O'Neill	Swedzinski
Anderson, S.	Erickson, S.	Hornstein	Mack	Paymar	Torkelson
Anzelc	Fabian	Hortman	Mahoney	Pelowski	Uglen
Atkins	Falk	Howe	Mariani	Peppin	Urdahl
Barrett	Faust	Huntley	Marquart	Persell	Wagenius
Beard	Fischer	Isaacson	Masin	Petersburg	Ward, J.A.
Benson, J.	FitzSimmons	Johnson, B.	McDonald	Poppe	Ward, J.E.
Benson, M.	Franson	Johnson, S.	McNamar	Pugh	Wills
Bernardy	Freiberg	Kahn	McNamara	Quam	Winkler
Bly	Fritz	Kelly	Melin	Radinovich	Woodard
Brynaert	Garofalo	Kieffer	Metsa	Rosenthal	Yarusso
Carlson	Green	Kiel	Moran	Runbeck	Zerwas
Clark	Gruenhagen	Kresha	Morgan	Sanders	Spk. Thissen
Daudt	Gunther	Laine	Mullery	Savick	
Davids	Hackbarth	Leidiger	Murphy, E.	Sawatzky	
Davnie	Halverson	Lenczewski	Murphy, M.	Schoen	
Dean, M.	Hamilton	Lesch	Myhra	Schomacker	
Dehn, R.	Hansen	Liebling	Nelson	Scott	

The bill was passed, as amended, and its title agreed to.

H. F. No. 9 was reported to the House.

Abeler moved to amend H. F. No. 9, the third engrossment, as follows:

Page 4, after line 24, insert:

"Sec. 6. **CONTINGENT SUNSET.**

If at anytime, the commissioner of human services determines that the federal Medicaid match for the expansion authorized by the amendment in this act to section 256B.056, subdivision 4, will be reduced to a percentage that is lower than the state's regular federal Medicaid match, the eligibility standards for medical assistance shall revert to the standards that existed on December 31, 2013. For this sunset to occur, the commissioner of human services

must notify the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance, within 60 days of determining that the federal Medicaid match for the expansion will be reduced to a percentage that is lower than the state's regular federal Medicaid match, and the reversion to the medical assistance eligibility standards that existed on December 31, 2013, shall become effective on July 1 of the calendar year following the calendar year in which the federal Medicaid match for the expansion is reduced to a percentage that is lower than the state's regular federal Medicaid match."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Franson was excused between the hours of 4:20 p.m. and 4:55 p.m.

The question was taken on the Abeler amendment and the roll was called. There were 56 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean, M.	Hackbarth	Kresha	O'Neill	Torkelson
Albright	Dettmer	Hamilton	Leidiger	Peppin	Uglen
Anderson, M.	Drazkowski	Hertaus	Lohmer	Petersburg	Urdahl
Anderson, P.	Erickson, S.	Holberg	Loon	Pugh	Wills
Anderson, S.	Fabian	Hoppe	Mack	Quam	Woodard
Barrett	FitzSimmons	Howe	McDonald	Runbeck	Zerwas
Beard	Garofalo	Johnson, B.	McNamara	Sanders	
Benson, M.	Green	Kelly	Myhra	Schomacker	
Daudt	Gruenhagen	Kieffer	Newberger	Scott	
Davids	Gunther	Kiel	O'Driscoll	Swedzinski	

Those who voted in the negative were:

Allen	Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen
Anzelc	Erhardt	Hortman	Mahoney	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mariani	Newton	Simon
Benson, J.	Falk	Isaacson	Marquart	Norton	Simonson
Bernardy	Faust	Johnson, S.	Masin	Paymar	Sundin
Bly	Fischer	Kahn	McNamar	Pelowski	Wagenius
Brynaert	Freiberg	Laine	Melin	Persell	Ward, J.A.
Carlson	Fritz	Lenczewski	Metsa	Poppe	Ward, J.E.
Clark	Halverson	Lesch	Moran	Radinovich	Winkler
Davnie	Hansen	Liebling	Morgan	Rosenthal	Yarusso
Dehn, R.	Hausman	Lien	Mullery	Savick	Spk. Thissen
Dill	Hilstrom	Lillie	Murphy, E.	Sawatzky	

The motion did not prevail and the amendment was not adopted.

Gruenhagen moved to amend H. F. No. 9, the third engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 256L.031, subdivision 1, is amended to read:

Subdivision 1. **Defined contributions to enrollees.** (a) ~~Beginning July 1, 2012,~~ The commissioner shall provide each MinnesotaCare enrollee: (1) eligible under section 256L.04, subdivision 7, with family income equal to or greater than 200 75 percent of the federal poverty guidelines; and (2) eligible under section 256L.04, subdivisions 1 and 1b, with family income greater than 150 percent of the federal poverty guidelines, with a monthly defined contribution to purchase health coverage under a health plan as defined in section 62A.011, subdivision 3.

(b) Enrollees eligible under this section shall not be charged premiums under section 256L.15 and are exempt from the managed care enrollment requirement of section 256L.12.

(c) Sections 256L.03; 256L.05, subdivision 3; and 256L.11 do not apply to enrollees eligible under this section unless otherwise provided in this section. Covered services, cost sharing, disenrollment for nonpayment of premium, enrollee appeal rights and complaint procedures, and the effective date of coverage for enrollees eligible under this section shall be as provided under the terms of the health plan purchased by the enrollee.

(d) Unless otherwise provided in this section, all MinnesotaCare requirements related to eligibility, income and asset methodology, income reporting, and program administration, continue to apply to enrollees obtaining coverage under this section.

(e) The commissioner shall exclude children from participation under this section, if the federal government determines that the inclusion of children would violate the maintenance of effort requirement in section 2001 of the Affordable Care Act.

(f) For purposes of this section, "Affordable Care Act" means Public Law 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), and any amendments to, or regulations or guidance issued under, those acts.

**EFFECTIVE DATE.** This section is effective January 1, 2014.

Sec. 2. Minnesota Statutes 2012, section 256L.031, subdivision 3, is amended to read:

Subd. 3. **Determination of defined contribution amount.** (a) The commissioner shall determine the defined contribution sliding scale using the base contribution specified in this paragraph for the specified age ranges. The commissioner shall use a sliding scale for defined contributions that provides:

(1) persons with household income equal to 76 percent of the federal poverty guidelines with a defined contribution of 125 percent of the base contribution;

~~(2)~~ (2) persons with household incomes equal to 200 percent of the federal poverty guidelines with a defined contribution of 93 percent of the base contribution;

~~(3)~~ (3) persons with household incomes equal to 250 percent of the federal poverty guidelines with a defined contribution of 80 percent of the base contribution; and

(4) persons with household incomes equal to or greater than 275 percent of the federal poverty guidelines with a defined contribution of 73 percent of the base contribution; and

~~(5)~~ (5) persons with household incomes in evenly spaced increments between the percentages of the federal poverty guideline or income level specified in clauses (1), (2), (3), and (4) with a base contribution that is a percentage interpolated from the defined contribution percentages specified in clauses (1), (2), (3), and (4).

<u>18 and under</u>	<u>\$120</u>
19-29	\$125
30-34	\$135
35-39	\$140
40-44	\$175
45-49	\$215
50-54	\$295
55-59	\$345
60+	\$360

(b) The commissioner shall multiply the defined contribution amounts developed under paragraph (a) by 1.20 for enrollees who purchase coverage through the Minnesota Comprehensive Health Association.

**EFFECTIVE DATE.** This section is effective January 1, 2014.

Sec. 3. Minnesota Statutes 2012, section 256L.031, subdivision 7, is amended to read:

Subd. 7. **Federal approval.** The commissioner shall seek federal financial participation for the ~~adult~~ enrollees eligible under this section. The commissioner shall seek the enhanced federal match provided under section 2001 of the Affordable Care Act, for adults without children with incomes greater than 75 percent and not exceeding 138 percent of the federal poverty guidelines, calculated using modified adjusted gross income as defined in section 2002 of the Affordable Care Act.

**EFFECTIVE DATE.** This section is effective the day following final enactment."

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

H. F. No. 9, A bill for an act relating to human services; expanding medical assistance eligibility; requiring the use of modified adjusted gross income and a standard income disregard; amending Minnesota Statutes 2012, sections 256B.02, by adding a subdivision; 256B.055, by adding a subdivision; 256B.056, subdivisions 1a, 3c, 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 71 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Allen	Dorholt	Hornstein	Lillie	Murphy, E.	Sawatzky
Anzelc	Erhardt	Hortman	Loeffler	Murphy, M.	Schoen
Atkins	Erickson, R.	Huntley	Mahoney	Nelson	Selcer
Benson, J.	Falk	Isaacson	Mariani	Newton	Simon
Bernardy	Faust	Johnson, S.	Marquart	Norton	Simonson
Bly	Fischer	Kahn	Masin	Paymar	Sundin
Brynaert	Freiberg	Kiel	McNamar	Pelowski	Ward, J.A.
Carlson	Fritz	Laine	Melin	Persell	Ward, J.E.
Clark	Halverson	Lenczewski	Metsa	Poppe	Winkler
Davnie	Hansen	Lesch	Moran	Radinovich	Yarusso
Dehn, R.	Hausman	Liebling	Morgan	Rosenthal	Spk. Thissen
Dill	Hilstrom	Lien	Mullery	Savick	

Those who voted in the negative were:

Abeler	Davids	Gunther	Kresha	O'Neill	Torkelson
Albright	Dean, M.	Hackbarth	Leidiger	Peppin	Uglen
Anderson, M.	Dettmer	Hamilton	Lohmer	Petersburg	Urdahl
Anderson, P.	Drazkowski	Hertaus	Loon	Pugh	Wills
Anderson, S.	Erickson, S.	Holberg	Mack	Quam	Woodard
Barrett	Fabian	Hoppe	McDonald	Runbeck	Zerwas
Beard	FitzSimmons	Howe	McNamara	Sanders	
Benson, M.	Garofalo	Johnson, B.	Myhra	Schomacker	
Cornish	Green	Kelly	Newberger	Scott	
Daudt	Gruenhagen	Kieffer	O'Driscoll	Swedzinski	

The bill was passed and its title agreed to.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Murphy, E., from the Committee on Rules and Legislative Administration offered the following report and moved its adoption:

*Resolved*, that the Permanent Rules of the House of Representatives for the 88th Legislative Session shall read as follows:

#### "PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES ~~2011-2012~~ 2013-2014

##### ARTICLE 1 - DAILY BUSINESS

1.01 CONVENING OF THE HOUSE. Unless otherwise ordered, the House convenes at 3:00 p.m. The Speaker must take the chair at the appointed hour and call the House to order.

The call to order is followed by a prayer by the Chaplain or time for a brief meditation, then by the pledge of allegiance to the flag of the United States of America, and then by a call of the roll of members. The names of members present and members excused must be entered in the Journal of the House.

1.02 READING OF THE JOURNAL. If a quorum is present, the Chief Clerk must read the Journal of the preceding day, unless otherwise ordered. The House may correct errors in the Journal of the preceding day.

1.03 ORDER OF BUSINESS. After the Journal is read, the order of business of the day is:

- (1) Presentation of petitions or other communications
- (2) Reports of standing committees and divisions
- (3) Second reading of House bills
- (4) Second reading of Senate bills
- (5) Reports of select committees
- (6) Introduction and first reading of House bills

(7) Consideration of messages from the Senate

(8) First reading of Senate bills

~~(9) Consent Calendar~~

~~(40)~~ (9) Calendar for the day

~~(44)~~ (10) Motions and resolutions

The House may advance or revert from any order of business to any other order of business either without objection, or by majority vote of the whole House.

Conference committees on House bills and the Committee on Rules and Legislative Administration may report at any time.

1.04 REPORTING OF BILLS. A bill must be reported to the House on three different days before its passage, except as provided in Rule 5.02. The first report, called the first reading, occurs when it is introduced; the second report, called the second reading, occurs when it has been reported by the appropriate standing committees and divisions for consideration by the House; the third report, called the third reading, occurs when it is ready for the vote on passage.

1.10 INTRODUCTION OF BILLS AND RESOLUTIONS. A bill or resolution must be submitted to the Speaker at least 24 hours before the convening of the daily session at which it is to be introduced.

A bill or resolution must be introduced in triplicate and each copy must bear the signature of the member or the name of the committee or division introducing it.

In regular session, a bill prepared by a department or agency of state government must be introduced and given its first reading at least ten days before the date of the first committee deadline.

Each annual session, the Committee on Rules and Legislative Administration may designate a date after which a House File may not be introduced during that annual session, unless approved for introduction by the Committee on Rules and Legislative Administration. The date must be at least 14 calendar days after the Committee acts under this paragraph, but no earlier than May 1 of each annual session.

1.11 FIRST READING AND REFERENCE OF BILLS. A bill or resolution must be reported and given its first reading when it is introduced. A bill or resolution must not be objected to when it is introduced.

After its first reading, the Speaker must refer a bill or resolution to the appropriate standing committee or division, except as provided in Rule 1.15 and Rule 1.13.

Congratulatory resolutions referred to in Rule 4.02 are exempt from this Rule.

Except as otherwise provided in these Rules, after the Speaker refers a bill or resolution, a majority vote of the whole House is required for the House to re-refer the bill or resolution.

1.12 AUTHORS OF BILLS AND RESOLUTIONS. A bill, memorial, or resolution must not have more than 35 authors. After a bill or resolution is introduced and given its first reading: (a) a member may be removed as an author, by motion of the member; and (b) a member wishing to be an author may be added as an author, by motion of the author of the bill or resolution.

1.13 INTRODUCTION OF COMMITTEE OR DIVISION BILLS. A standing or special committee of the House or a division of the House may introduce a bill as a committee or division bill on any subject within its purview. When a committee or division bill is introduced and read for the first time, the Speaker may refer it to a standing committee or division. If the Speaker does not refer it, the bill must be laid over one day. Then it must be read for the second time and placed on the General Register ~~or, if recommended by the Committee, on the Consent Calendar.~~

1.14 RECESS BILL INTRODUCTIONS. During the period between the last day of the regular session in an odd-numbered year and the first day of the regular session in the next year, a bill filed with the Speaker for introduction must be given a file number and may be unofficially referred by the Speaker to an appropriate standing committee or division.

1.15 DISPOSITION OF SENATE FILES. A Senate File received by the House that is accompanied by a message announcing its passage by the Senate must be referred to the appropriate standing committee or division under Rule 1.11. But if a Senate File is received that a member requests be compared to a House File already reported by a standing committee or division of the House and placed on the General Register or on the Calendar for the Day ~~or the Consent Calendar~~, the Senate File must be referred to the Chief Clerk for comparison. If the Chief Clerk reports that the Senate File is identical to the House File, the Senate File may, by majority vote, be substituted for the House File and take its place. The fact that the bills are identical must be entered in the Journal and the House File is then considered withdrawn.

A Senate File that is amended on the floor of the House, except at the time of final passage, and a Senate File that has been reported to the House with amendments by a House standing committee or division, must be unofficially engrossed and reprinted by the Chief Clerk. An amendment may be offered to an unofficial engrossment of a Senate File.

1.20 GENERAL REGISTER. The General Register consists of all bills that have received a second reading, ~~except those placed on the Consent Calendar under Rule 1.23.~~ Bills must be placed on the General Register in the order that they receive their second reading. A bill must be on the General Register, be given to each member, and be available to the public before it may be considered by the House on the Calendar for the Day or the Fiscal Calendar. Each day that the House meets in session, the Chief Clerk must publish a list of the bills on the General Register.

1.21 CALENDAR FOR THE DAY. The Calendar for the Day is a list of bills that are to be considered that day by the House. The House must consider each item on the Calendar for the Day in the order determined by the presiding officer. After consideration by the House, unless otherwise disposed of, the bill must immediately be given its third reading and placed upon its passage.

A bill that has received its second reading may be placed on the Calendar for the Day by the Committee on Rules and Legislative Administration or by order of the House upon the motion of a member as provided in this Rule.

The Committee on Rules and Legislative Administration must designate the bills that are to be on the Calendar for the Day. During regular session, the Committee must designate the bills by 5:00 p.m. the day before the day that the bills are to be on the Calendar, except that the Committee may designate the bills at any time after a day specified by the Committee on Rules and Legislative Administration. After the Committee designates the bills, the Chief Clerk must publish the Calendar for the Day. In order to trigger a pre-filing requirement, the Calendar for the Day must be established in accordance with Rule 3.33.

A bill that is on the General Register for more than ten legislative days may be placed on the Calendar for the Day by a majority vote of the whole House, acting on the motion of a member. A bill placed on the Calendar for the Day in this manner must be considered first the next time that the House reaches the order of business "Calendar for the Day." A member must give notice to the Speaker and the Chief Clerk three legislative days before making a

motion to place a bill on the Calendar for the Day. The notice must specify the number and title of the bill. Only the member who gave notice to the Speaker and the Chief Clerk, or another member designated in writing by the member who gave notice, may make the motion to place the bill on the Calendar for the Day. After the third legislative day following the day of notice, the motion must be made the first time that the House reaches the order of business "Motions and Resolutions." If the motion is not made at that time, the member who gave notice forfeits the right to make that motion.

A bill may be continued on the Calendar for the Day by a majority vote of the whole House. A third motion by the author of a bill to continue it on the Calendar for the Day is not in order; upon such a motion, the bill must be stricken from the Calendar and returned to the General Register in the order of its second reading. The Calendar for the Day expires when the House adjourns for the day, unless the House, by a majority vote of the whole House, continues items remaining on the Calendar to the next day.

1.22 FISCAL CALENDAR. A finance bill that has had its second reading must be considered by the House when requested by the Chair of the Committee on Ways and Means or by a designee of the Chair. A bill relating to taxes or raising revenue that has had its second reading must be considered by the House when requested by the Chair of the Committee on Taxes or a designee of the Chair.

During regular session, a chair must announce the intention to make the request by 5:00 p.m. the legislative day before the day that the request for consideration is to be made, except that the Chair may designate the bills at any time after a day specified by the Committee on Rules and Legislative Administration. During periods when the 5:00 p.m. requirement does not apply, the chair must announce the intention at least two hours before making the request. In order to trigger a prefiling requirement a notice given under Rule 1.22 must comply with Rule 3.33.

After consideration by the House on the Fiscal Calendar, unless otherwise disposed of, the bill must immediately be given its third reading and placed upon its passage.

~~1.23 CONSENT CALENDAR. If a committee or division determines that a bill it recommends to pass is not controversial, the committee or division may in its report recommend that the bill be placed on the Consent Calendar. After the report is adopted and the bill has received its second reading, the bill must be placed on the Consent Calendar and given to each member at least one day before it may be considered by the House. Bills must be placed on the Consent Calendar in the order that they receive their second reading and must be considered by the House in the order determined by the presiding officer.~~

~~After consideration by the House, a bill on the Consent Calendar must immediately be given its third reading and placed upon its passage. But if, before its third reading, ten members object to the bill as being controversial, the bill must be stricken from the Consent Calendar and be placed on the General Register in the order of second reading.~~

1.30 THIRD READING OF BILLS. An amendment must not be received after the third reading of a bill without unanimous consent, except to fill blanks or to amend the title.

At any time before it is passed, a bill or resolution may be referred or re-referred by a majority vote of the whole House. If the committee or division to which it is referred or re-referred reports an amendment to it, the bill or resolution must again be given its second reading and placed on the General Register.

1.40 PUBLICATION OF BILLS FOR THE HOUSE. After a bill receives its second reading, the bill must be prepared and published or made electronically available for consideration by the House. A majority of the House may order the publication of a bill at any time.

1.50 ADJOURNING OF THE HOUSE. The House may not meet during a legislative day after midnight, except that the House, by majority vote, may meet past the time of adjournment required by this Rule.

## ARTICLE 2 - FLOOR PROCEEDINGS, VOTING, DECORUM

2.01 ABSENCE OF MEMBERS AND OFFICERS. Unless illness or other sufficient cause prevents attendance, a member or officer of the House must not be absent from a session of the House without the prior permission of the Speaker.

2.02 CALL OF THE HOUSE. Ten members may demand a call of the House at any time until voting begins. After the House is placed under call, a second roll call on any aspect of a call of the House is out of order.

When a call is demanded, the doors of the chamber must be closed, the roll called, and the absent members sent for; and no member is allowed to leave the chamber until the roll call is suspended or completed. During the roll call, no motion is in order except a motion pertaining to matters incidental to the call.

Proceedings under the roll call may be suspended by a majority vote of the whole House. The Sergeant at Arms must not permit a member to leave the Chamber unless the member is excused by the Speaker, or the call of the House has been lifted by a majority vote of the whole House.

2.03 ROLL CALL VOTE. A roll call vote is required to pass a bill or to adopt a resolution or motion directing the payment of money. In all other cases a roll call vote may be ordered only if 15 members demand it. When the House is taking a roll call vote on another issue, a roll call vote may not be ordered on a motion that members not voting be excused from voting.

2.04 EXPLAINING OR CHANGING VOTE. A member must not explain a vote or discuss the question during a roll call vote. A member must not change a vote or move for the record an intention to have voted or voted differently after the result of the roll call vote is announced from the chair by the Speaker.

2.05 EVERY UNEXCUSED MEMBER TO VOTE. A member who has an immediate interest in a question must not vote on it.

Every other member present before the result of a vote is declared by the presiding officer must vote for or against the matter before the House, unless the House excuses the member from voting. But a member is not required to vote on any matter concerning a memorial resolution.

A member who does not vote when the member's name is called must state reasons for not voting. After the vote has been taken but before the presiding officer has announced the result of the vote, the presiding officer must submit to the House the question: "Shall the member, for the reasons stated, be excused from voting?" The question must be decided without debate. After the question is decided, the presiding officer must announce the result of the vote, after which other proceedings about the nonvoting member may take place.

2.10 ELECTRONIC VOTING SYSTEM. An electronic voting system under the control of the Speaker may be used to take any vote except a vote on an election or if the House is currently taking a roll call. A member must not vote on a question except at the member's own seat in the chamber.

2.15 RECORDED FLOOR PROCEEDINGS. Proceedings on the floor of the House must be recorded on an appropriate audio recording medium under the direction of the Chief Clerk. The Chief Clerk must transmit a copy of the recordings to the Director of the Legislative Reference Library. The Legislative Reference Library must keep the recordings available for public use under its rules during the legislative biennium when the recordings were created and for eight years thereafter. The Library may then preserve or dispose of the recordings as the Library sees fit.

A person may obtain a copy of a recording while it is kept in the Library by paying a fee determined by the House Controller to cover the cost of preparing the copy.

Discussion preserved under this Rule is not intended to be admissible in a court or administrative proceeding on an issue of legislative intent.

2.20 DUTIES OF MEMBERS. Members must keep their seats until the Speaker announces adjournment.

A member, before speaking, must rise and respectfully address the Speaker and must not speak further until recognized by the Speaker. If more than one member rises at the same time, the Speaker must select the member to speak first.

2.21 NOTICE OF INTENT TO DEBATE A RESOLUTION. A member may give notice of intent to debate a resolution, except a resolution introduced as a house file or a senate file under Rule 4.02 or a resolution offered by the Committee on Rules and Legislative Administration or the Committee on Ethics.

The notice may be given at any time before the vote is taken on the resolution. If the notice is given, the resolution must be laid over one day without debate or any other action.

2.30 QUESTIONS OF ORDER. If a member violates the Rules in any way, the Speaker must, or another member may, call the member to order. The member called to order must immediately sit down unless another member moves to permit the member who was called to order to explain. In either case, the House, if appealed to, must decide the question without debate. Only if the decision is in favor of the member called to order may that member proceed. The House may censure or punish a member called to order.

2.31 OFFENSIVE WORDS IN DEBATE. If a member is called to order for offensive words in debate, the member calling for order must report the words to which exception is taken and the Clerk must record them. A member must not be held to answer, or be subject to censure of the House, for language used in debate unless exception is taken before another member speaks or other business takes place.

2.32 ORDER IN DEBATE. Except for the member who offered the motion, amendment, or proposition under consideration, a member must not speak more than twice on the subject, without leave of the House, nor more than once until every other member wishing to speak on the subject has had an opportunity to do so.

2.33 ORDER DURING SESSION. A member must not walk out of or across the Chamber while the Speaker is putting the question. A member must not engage in private conversation while another member is speaking or pass between a speaking member and the Chair. A member must not disrupt order and decorum in the Chamber by possessing or using any audiovisual display, including but not limited to placards, signs, photographs, visual aids, or the use of any video images or audio, except for such items that are distributed to members at their desks for the purpose of conducting business of the day.

2.34 PERSONS BY THE CHIEF CLERK'S DESK DURING VOTE. No person may remain by the Chief Clerk's desk during a roll call vote.

2.39 EXECUTIVE BRANCH OR LOBBYIST PRESENCE IN COMMITTEE. No House committee, division or subcommittee shall permit any member or staff of the executive branch, registered lobbyist, or lobbyist principal, to be seated at the committee table with members of the House during official proceedings of committees of the House.

2.40 ADMITTANCE TO FLOOR. No person other than a member may be admitted to the House Chamber, except: properly authorized employees; the Chief Executive and ex-governors of the State of Minnesota; members of the Senate; heads of departments of the state government; judges of the Supreme Court, Court of Appeals, and District Courts; members of Congress; those persons invited to address the body or a joint convention of the house and senate, and guests for such an address or joint convention; and properly accredited representatives of radio and television stations, newspapers and press associations, as provided for in these Rules.

Any other person may be issued a permit by the Speaker good for the day, but that person must be seated near the Speaker's rostrum, and must not engage in conversation that disturbs the business of the House. Before issuing a permit, the Speaker must make certain that the person does not seek the floor of the House to influence decisions of the House.

The alcoves in the Chambers are for the use of members only, and the Sergeant at Arms must keep them clear of others.

From one hour before the time the House is scheduled to convene until one hour after the House adjourns for the day, the retiring room is reserved for the exclusive use of the members and employees of the House. As long as the Senate prohibits entry of House members into its retiring room, no Senators may enter the House retiring room during the time it is reserved for exclusive use of members and employees. A committee or division meeting must not be held there except emergency meetings authorized by the Speaker. The Sergeant at Arms must strictly enforce this provision.

Unless an extraordinary condition exists the Speaker must not entertain a request to suspend this Rule or present the request of a member for unanimous consent to suspend this Rule.

2.41 MEDIA NEWS REPORTERS. Accredited representatives of the press, press associations, and radio and television stations must be given equal press privileges by the House. A person wishing to report proceedings of the House may apply to the Chief Sergeant at Arms for a media pass and assignment to suitable available space. The Sergeant may coordinate the issuance of media passes with the appropriate senate authority.

Television stations must be permitted to televise sessions of the House. Media representatives must be allowed access to both wells in the gallery of the House chambers.

### ARTICLE 3 - MOTIONS, AMENDMENTS, AND OTHER PROPOSITIONS

3.01 AMENDMENTS AND OTHER MOTIONS. An amendment or other motion must not be debated until after it is stated by the Speaker.

After an amendment or other motion is stated by the Speaker it is in possession of the House, but the mover may withdraw it at any time before it is amended or decided. Unless a motion, resolution, or amendment is withdrawn on the day it is made, it must be entered in the Journal, with the name of the member offering it.

Except as otherwise permitted by the Speaker, an amendment or other motion must be in writing, and five copies of it must be given to the Chief Clerk.

3.02 ORDER OF PUTTING QUESTION; FILLING BLANKS. Except for a privileged question, questions before the House or a committee or division must be put in the order they are moved. In filling a blank, a motion for the largest sum or the longest time must be put first.

3.03 DIVISION OF A QUESTION. A member may request the division of a question that contains more than one separate and distinct point. A motion to strike and insert is not divisible. The failure of a motion to strike does not preclude another motion to amend or to strike and insert.

3.10 PRECEDENCE OF MOTIONS. While a question is under consideration, only the following motions may be received:

- (1) To fix the time of adjournment
- (2) To adjourn

- (3) To lay on the table
- (4) For the previous question
- (5) To refer
- (6) To postpone to a day certain
- (7) To amend
- (8) To postpone indefinitely
- (9) To pass

The first four motions must be decided without debate.

The motions have precedence in the order listed, except that if the motion for the previous question has been properly made, and ~~if necessary seconded~~ properly supported, and the main question ordered, the motion to lay on the table is not in order.

3.11 MOTION TO ADJOURN. A motion to adjourn is always in order except during a roll call.

After a motion to adjourn is made, before putting the question, the Speaker may permit any member to state reasons why adjournment might be improper at that time. A statement is not debatable and must be limited to two minutes.

3.12 MOTION TO LAY ON THE TABLE. A motion to lay on the table is not in order on a motion to amend, except that a motion to amend the Rules may be tabled.

3.13 THE PREVIOUS QUESTION. The previous question may be moved by a member who is ~~seconded~~ supported by 15 members.

If the motion for the previous question is ordered by a majority of members present, its effect is to put an end to all debate and bring the House to direct vote upon the question.

Before the presiding officer submits a motion for the previous question to the House, a call of the House is in order. After a majority has ordered the previous question, a call of the House is not in order before the decision on the main question.

When the previous question is decided in the negative, the main question remains under debate until it is disposed of by a vote on the question, by a subsequent motion calling for the previous question under this Rule, or in some other manner.

All incidental questions of order arising after a motion is made for the previous question and before the vote on the main question must be decided without debate.

3.14 MOTION TO RECONSIDER. After a question is decided either in the affirmative or negative, a member who voted with the prevailing side may move to reconsider it. The motion must be made on the same day the vote was taken or on either of the next two days that the House meets in session and has possession of the matter. The motion may be made at any time in the Order of Business. It takes precedence over any other question except a motion to adjourn ~~and a notice of intent to move to reconsider~~. The motion to reconsider, ~~or notice of intent to make it,~~ must not be made if the document, bill, resolution, message, report or other subject of official action on which the vote was taken has left the possession of the House.

~~When a member gives notice of intent to move to reconsider the final action of the House on a bill, resolution, message, report or other subject of official action, the Chief Clerk must keep it until the matter is disposed of or the time has expired for the motion. In regular session, notice of intent to move to reconsider must not be made in an odd-numbered year after the fifth Monday preceding the last Monday that the House may meet in regular session and in an even-numbered year after a date specified by the Committee on Rules and Legislative Administration.~~

~~On the last day allowed for the motion to reconsider, a member who voted on the prevailing side may make the motion, unless the matter has been already disposed of.~~

If a motion to reconsider fails, it must not be renewed.

3.15 MOTION TO RESCIND. A motion to rescind is not in order at any time in any proceeding in the House or in any committee or division of the House.

3.20 AMENDMENTS TO AMENDMENTS. An amendment may be amended, but an amendment to an amendment must not be amended.

3.21 MOTIONS AND PROPOSITIONS MUST BE GERMANE. (a) A motion or proposition on a subject different from that under consideration must not be admitted under guise of its being an amendment. A motion, amendment, or other proposition offered to the House is out of order if it is not germane to the matter under consideration. Whether a proposition is germane to the matter under consideration is a question to be decided by the presiding officer, who may put the question to the House.

(b) An amendment to an amendment on the House floor must relate only to the primary amendment, without introducing any new subject or any new purpose.

3.22 AMENDMENT TO INCREASE AN APPROPRIATION OR TAX. The concurrence of a majority of the whole House, determined by a roll call vote, is required to adopt an amendment increasing an appropriation or a tax.

3.23 CONSTITUTIONAL AMENDMENTS. A constitutional amendment may not be offered as an amendment to a bill on the floor.

3.30 EXPENDITURE OF HOUSE FUNDS. The concurrence of a majority of the whole House, determined by a roll call vote, is required for favorable action on a resolution or motion involving the expenditure of money appropriated by the Legislature to the House. The resolution or motion must be referred to the Committee on Rules and Legislative Administration before being acted on by the House.

3.33 AMENDMENTS MUST BE PREFILED. (a) An amendment on a bill being considered on the Calendar for the Day or the Fiscal Calendar is out of order unless the amendment has been filed with the Speaker by 12:00 noon on the calendar day prior to the calendar day the bill first can be considered on the Calendar for the Day or the Fiscal Calendar. If a bill first can be considered by the House on the Calendar for the Day or the Fiscal Calendar on a Monday, an amendment must be filed by 12:00 noon on the prior Friday. An amendment is not out of order under this Rule if it is a technical or revisor's change to a bill or an amendment. Whether an amendment is a technical or revisor's change is a question to be decided by the presiding officer, who may put the question to the House.

(b) Paragraph (a) applies to an amendment to a bill only if by 12:00 noon on the day before the deadline for filing amendments the following has occurred:

(1) the Committee on Rules and Legislative Administration has designated the bill for inclusion on the Calendar for the Day or a chair has announced intention to place the bill on the Fiscal Calendar; and

(2) the version of the bill that will be considered on the Calendar for the Day or the Fiscal Calendar is available to members.

(c) Substitution of language in the House version of a bill for language in the Senate companion bill is not an amendment for purposes of this Rule if notice of the chief author's intent to substitute the House language is given when a bill is placed on the Calendar for the Day or when a chair announces intention to place the bill on the Fiscal Calendar.

(d) When an amendment is filed with the Speaker, the Speaker must have the amendment posted on the House Web site as soon as is practical. The Speaker may specify procedures for filing amendments under this Rule.

(e) An amendment to a prefiled amendment on a bill is out of order unless the amendment to the amendment has been filed with the Speaker six hours after the prefiling deadline under paragraph (a). An amendment to a prefiled amendment is not out of order under this Rule if it is a technical or conforming change to a prefiled amendment. Whether an amendment is a technical or conforming change to a prefiled amendment is a question to be decided by the presiding officer, who may put the question to the House.

(f) This Rule may be waived or the deadlines in this Rule may be extended for an individual bill, or waived for all bills after a certain date, by the Committee on Rules and Legislative Administration.

3.34 REFERRAL FOR CORRECTIONS. The Speaker, either by announcement without objection, or the House, by majority vote of the whole House, may refer a bill or resolution from the General Register, Fiscal Calendar, or Calendar for the Day to the Committee on Rules and Legislative Administration for the purpose of making changes to the bill. A bill so referred must be either further referred by the Committee on Rules and Legislative Administration, in consultation with the Speaker, to a standing committee with jurisdiction over the portion of the bill that is subject to correction or returned to the General Register by the Committee on Rules and Legislative Administration within five days, and if the Committee on Rules and Legislative Administration fails to act within five days, the bill shall be automatically returned to the General Register.

3.35 DUPLICATE AMENDMENTS. An amendment to a bill offered on the House floor that exactly or substantially duplicates an amendment offered earlier on the floor and voted upon by the body in a given annual session is out of order, for the remainder of that annual session, unless the Committee on Rules and Legislative Administration waives Rule 3.35 with respect to a specific amendment.

#### ARTICLE 4 - BILLS AND RESOLUTIONS

4.01 BILL AND RESOLUTION FORM. A bill or resolution must not be introduced until it has been examined and approved by the Revisor of Statutes as to form and compliance with these Rules and the Joint Rules of the House and Senate. The Revisor's approval must be endorsed on the bill or resolution.

A bill that is divided into articles may include or be accompanied by a table of contents.

4.02 RESOLUTIONS. A statement of facts being forwarded for action to a governmental official, agency, or body or other similar proposal is a memorial and must be introduced in the same form and take the same course as a bill. A joint resolution and any resolution requiring the signature of the governor must be introduced in the same form and take the same course as a bill.

A resolution must not authorize expenditure from any source other than the money appropriated by the Legislature to the House.

Congratulatory resolutions do not require consideration or adoption by the House.

A resolution must not be changed to a bill, and a bill must not be changed to a resolution.

4.03 WAYS AND MEANS COMMITTEE; BUDGET RESOLUTION; EFFECT ON EXPENDITURE AND REVENUE BILLS. (a) The Committee on Ways and Means must hold hearings as necessary to determine state expenditures and revenues for the fiscal biennium.

(b) Within 25 days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, the Committee on Ways and Means must adopt a budget resolution. The budget resolution: (1) must set the maximum limit on net expenditures for the next fiscal biennium for the general fund, (2) must set an amount or amounts to be set aside as a budget reserve and a cash flow account, (3) must set net spending limits for each budget category represented by the major finance and revenue bills identified in paragraph (e), and (4) may set limits for expenditures from funds other than the general fund. The budget resolution must not specify, limit, or prescribe revenues or expenditures by any category other than those specified in clauses (1), (2), (3), and (4). After the Committee adopts the budget resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless a different or amended resolution is adopted.

(c) During the regular session in the even-numbered year, before the Committee on Ways and Means reports a bill containing net increases or decreases in expenditures as compared to general fund expenditures in the current fiscal biennium estimated by the most recent state budget forecast, the Committee may adopt a budget resolution. If adopted, the resolution must account for the net changes in expenditures. The resolution may also (1) set limits for changes in net expenditures for each budget category represented by the major finance and revenue bills identified in paragraph (e), and (2) set limits for expenditures from funds other than the general fund.

If the Committee adopts a budget resolution, it is effective during the regular session that year, unless a different or amended resolution is adopted.

(d) The major finance or revenue bills may be combined or separated by a majority vote of either the Committee on Ways and Means or the Committee on Rules and Legislative Administration. Combined or separated bills must conform to the limits in the resolution as those limits apply to the accounts in those bills.

(e) Major finance and revenue bills are:

~~the agriculture and rural development finance bill;~~

~~the capital investment bill;~~

~~the education finance bill;~~

~~the environment, energy and natural resources finance bill;~~

~~the health and human services finance bill;~~

~~the higher education finance bill;~~

~~the jobs and economic development finance bill;~~

~~the judiciary finance bill;~~

~~the public safety finance bill;~~

~~the state government finance bill;~~

~~the tax bill; and~~

~~the transportation finance bill.~~

the capital investment bill;

the commerce and consumer protection finance bill;

the education finance bill;

the environment, natural resources, and agriculture finance bill;

the health and human services finance bill;

the higher education finance bill;

the housing finance bill;

the jobs and economic development finance bill;

the judiciary finance bill;

the legacy finance bill;

the public safety finance bill;

the state government and veterans affairs finance bill;

the tax bill; and

the transportation finance bill.

(f) After the adoption of a resolution by the Committee on Ways and Means, each finance committee, and the Committee on Taxes must reconcile each bill described in Rule 4.10 with the resolution. When reporting a finance or revenue bill, each committee or division must provide to the Committee on Ways and Means a fiscal statement reconciling the bill with the resolution.

(g) After the adoption of a resolution by the Committee on Ways and Means, the Committee on Ways and Means must reconcile finance and revenue bills with the resolution. When reporting a bill, the chair of the Committee must certify to the House that the Committee has reconciled the bill with the resolution.

(h) After the adoption of a resolution by the Committee on Ways and Means, an amendment to a bill is out of order if it would cause any of the limits specified in the resolution to be exceeded. Whether an amendment is out of order under this Rule is a question to be decided on the Floor by the Speaker or other presiding officer and in Committee or Division by the person chairing the Committee or Division meeting. In making the determination, the Speaker or other presiding officer or the Committee or Division chair may consider: (1) the limits in a resolution; (2) the effect of existing laws on revenues and expenditures; (3) the effect of amendments previously adopted to the bill under consideration; (4) the effect of bills previously recommended by a Committee or Division or bills previously passed in the legislative session by the House or by the legislature; (5) whether expenditure increases or revenue decreases that would result from the amendment are offset by decreases in other expenditures or increases in other revenue specified by the amendment; and (6) other information reasonably related to expenditure and revenue amounts.

(i) After a resolution is adopted by the Committee on Ways and Means, the Committee must make available a summary of the estimated fiscal effect on the general fund of each bill that has been referred to the Committee on Ways and Means by a finance committee or a division of a finance committee, or the Committee on Taxes and of each bill that has been reported by the Committee on Ways and Means.

4.05 AMENDMENT LIMITS. An amendment to a bill that has received its second reading and is being considered by the House is out of order if that amendment would increase the spending or spending base from any fund from which appropriations are made in that bill, or would increase the spending or spending base in total from all funds in the bill or in the bill with the proposed amendment. This rule is only in effect when a budget resolution adopted under Rule 4.03 is not in effect.

In the absence of an adopted budget resolution, this rule does not apply after the last Thursday on which the Legislature can meet in regular session in odd-numbered years, and after the last Thursday on which the Legislature intended, when it adopted the concurrent resolution required by Joint Rule 2.03, to meet in regular session in even-numbered years, or after a date specified by the Committee on Rules and Legislative Administration.

This provision does not apply when a Senate bill is accepted for substitution under Rule 1.15, or in the event that the language that was in the House version of the bill prior to a substitution under Rule 1.15, is adopted in its entirety as an amendment to a Senate file received by the House.

4.10 BILLS AFFECTING STATE REVENUES AND EXPENDITURES. (a) Except as provided in Rule 1.15, a House or Senate bill that directly, substantially, and specifically affects any present or future financial obligation, budget policy, or revenue of the State must be referred as provided in paragraphs (b) and (c) to the appropriate Committee before the bill receives its second reading. A bill that negligibly affects any present or future financial obligation, budget policy, or revenue of the State is not subject to mandatory referral under this rule.

(b) A bill subject to paragraph (a) reported by a finance committee must, if recommended to pass, be subsequently referred to the Ways and Means Committee, unless the bill has a negligible fiscal impact and is subject to direct reference to the Floor under Rule 6.05.

(c) A bill with a substantial impact on the tax revenues or tax policies of the State must be referred to the Committee on Taxes. A bill reported by the Committee on Taxes containing a substantial fiscal impact must be referred to the Committee on Ways and Means. For purposes of this paragraph, "tax" excludes any fee, charge, exaction, or assessment, a primary purpose of which is to recover direct or indirect costs incurred by the state or other governmental entity or as a payment for benefits received.

(d) The chairs of the Committees on Taxes and Ways and Means shall advise the Speaker on the application of this rule and may determine whether or not any given piece of legislation must be referred to the committee they chair.

4.12 BILLS AFFECTING DEBT AND CAPITAL PROJECTS. The Committee on Capital Investment has jurisdiction over legislation affecting debt obligations issued by the state and capital projects of the state, including the planning, acquiring and bettering of public lands and buildings and other state projects of a capital nature. Except as provided in Rule 1.15, a House or Senate bill that directly and specifically affects debt obligations or capital projects of the state must be referred to the Committee on Capital Investment before the bill receives its second reading.

Referral is not required by this Rule if the bill deals primarily with the financing of state capital facilities using trunk highway funds, with transportation projects financed without debt obligations of the state, or with the local financing of capital facilities of local governments. Referral is not required by this Rule if the bill has a negligible effect on debt obligations and capital projects of the state as determined by the chair of the Committee on Ways and Means, in conjunction with the chair of the Committee on Capital Investment. Referral is not required by this Rule

if the bill is a major finance or revenue bill identified in Rule 4.03, unless the bill directly and specifically affects debt obligations of the state, but if a major finance or revenue bill contains a provision that directly and specifically affects capital projects of the state, the chair of the finance or tax committee reporting the bill must notify the chair of the Committee on Ways and Means and the chair of the Committee on Capital Investment of the provision before the bill is considered by the House.

The Speaker, by announcement, must assign to each finance committee the appropriate jurisdiction for recommendations on debt obligations and capital projects of the state. Finance committees must submit recommendations within their jurisdiction to the Committee on Capital Investment for further disposition.

A bill with a fiscal effect reported by the Committee on Capital Investment must be accompanied by a statement of its fiscal effect, is exempt from the referral required by Rule 4.10, is subject to the same committee deadlines as the Committee on Ways and Means, and must be referred to the Committee on Ways and Means. This referral is not required if the bill has a negligible fiscal effect, as determined by the chair of the Committee on Capital Investment with the concurrence of the chair of the Committee on Ways and Means.

4.13 **BILLS AFFECTING STATE GOVERNMENT POWERS AND STRUCTURE.** The Committee on Government Operations ~~and Elections~~ has jurisdiction over a House or Senate bill that:

(a) establishes or reestablishes a department, agency, commission, board, task force, advisory committee or council, or bureau, or other like entity;

(b) delegates rulemaking authority to, or exempts from rulemaking, a department or agency of state government; or

(c) substantially changes the organization of a department or agency of state government or substantially changes, vests or divests the official rights, powers, or duties of an official, department or agency of state government or an institution under its control.

Except as otherwise provided in this Rule and Rule 1.15, a bill that is within the jurisdiction of the Committee on Government Operations ~~and Elections~~ must be referred to that Committee before it receives its second reading. A committee or division (other than the Committee on Government Operations ~~and Elections~~) reporting such a bill must recommend its re-referral to the Committee on Government Operations ~~and Elections~~ if reporting before the deadline for action on the bill by that Committee; if reporting after the deadline, the committee or division must recommend re-referral to the Committee on Rules and Legislative Administration.

~~The re-referral requirements of this Rule do not apply to the major finance and revenue bills identified in Rule 4.03. If a major finance or revenue bill contains a provision specified in clause (a) or (b) of the definition in this Rule, the chair of the finance or tax committee reporting the bill must notify the chair of the Committee on Rules and Legislative Administration before the bill is considered by the House.~~

~~The re-referral requirements of this Rule do not apply to other bills reported by a finance committee or division or the tax committee or division, except bills that contain a provision specified in clauses (a) and (b) of the definition in this Rule.~~ a bill if the Committee on Government Operations already has approved the bill or the substance of the matter that otherwise would require re-referral under this Rule. The Chair of the Committee on Government Operations shall advise the Speaker on the application of this Rule and may determine whether or not a bill must be referred to the Committee under this Rule.

4.14 **BILLS PROPOSING MEMORIALS.** A bill or amendment that proposes to have a memorial placed in the Capitol area must be referred to the Committee on Rules and Legislative Administration.

4.15 **BILLS PROPOSING CONSTITUTIONAL AMENDMENTS.** A House or Senate bill that proposes a constitutional amendment must be referred to the Committee on Rules and Legislative Administration before it receives its second reading. When reporting such a bill, a committee or division, other than the Committee on Rules and Legislative Administration, must recommend re-referral to the Committee on Rules and Legislative Administration.

4.16 **BILLS AFFECTING GOVERNMENT DATA PRACTICES.** The Committee on Civil Law has jurisdiction over a House or Senate bill that substantially affects either Minnesota Statutes, Chapter 13, or other government data practices statutes. Except as otherwise provided in this Rule and Rule 1.15, a bill that is within the jurisdiction of the Committee on Civil Law must be referred to that committee before it receives its second reading. A committee or division reporting such a bill must recommend its re-referral to the Committee on Civil Law if reporting before the deadline for action on the bill by that committee; if reporting after the deadline, the committee or division must recommend re-referral to the Committee on Rules and Legislative Administration. The re-referral requirement of this Rule does not apply to a bill if the Committee on Civil Law already has approved the bill or the substance of the matter that otherwise would require re-referral under this Rule. The Chair of the Committee on Civil Law shall advise the Speaker on the application of this Rule and may determine whether or not a bill must be referred to the Committee under this Rule.

4.20 **DISPOSITION OF BILLS DURING INTERIM.** Adjournment of the regular session in an odd-numbered year to a day certain in the next year is the same as daily adjournment except that a bill on the ~~Consent Calendar~~, Calendar for the Day, Fiscal Calendar, or General Register must be returned to the standing committee or division that last acted on the bill.

4.30 **RECALLING BILL FROM COMMITTEE OR DIVISION.** A bill or resolution may be recalled from a committee or division at any time by majority vote of the whole House, be given a second reading and be placed on the General Register. A motion to recall a bill or resolution is in order only under the order of business "Motions and Resolutions." This Rule does not apply in a special session or after the deadline for committee reports on House files.

4.31 **TIME LIMIT TO CONSIDER BILLS.** If 20 legislative days after a bill has been referred to a committee or division (other than the Committee on Ways and Means, the Committee on Taxes, or a division of one of those committees) a report has not been made on it by the committee or division, its chief author may request that it be returned to the House. The request must be entered in the Journal.

The committee or division must vote on the bill requested within ten calendar days after the day of the request.

If the committee or division fails to vote on it within ten days, the chief author may present a written demand to the Speaker for its immediate return to the House. The demand must be presented within five calendar days after the day that the committee or division is required to vote. If the demand is presented in the time allowed, it must be entered in the Journal and is the demand of the House. The bill is then considered to be in the possession of the House and must be given its second reading and placed on the General Register.

The bill may be re-referred by a majority vote of the whole House. If the motion to re-refer is made on the day of the demand or on the next House legislative day, the motion takes precedence over all other motions except privileged motions and is in order at any time.

## ARTICLE 5 - PARLIAMENTARY PRACTICE

5.01 **SUSPENSION OR AMENDMENT OF THE RULES.** The concurrence of two-thirds of the whole House is required to suspend or amend a Rule of the House, except that any amendment to the Rules reported by the Committee on Rules and Legislative Administration may be adopted by a majority of the whole House.

Except as provided in Rule 5.02, a motion to suspend or amend any Rule of the House must be made under the order of business "Motions and Resolutions." If the motion is made at another time, unanimous consent is required before the Speaker may entertain the motion.

A motion to suspend the Rules, together with the subject matter to which it pertains, is debatable, but the previous question may be applied to the motion under Rule 3.13.

5.02 SUSPENSION OF RULES TO ADVANCE A BILL. A bill must be reported on three different days as provided in Rule 1.04, except that in case of urgency, a two-thirds majority of the whole House may suspend this requirement. A motion to suspend the Rules to advance a bill for consideration out of its regular order is in order under the order of business "Motions and Resolutions" or at any time the bill is before the House. The motion must be presented to the Speaker in writing and must describe the status of the bill.

5.03 DEFINITIONS. In these Rules the terms "majority vote" and "vote of the House" mean a majority of members present for the vote. The term "vote of the whole House" means a majority of all the members elected to the House.

Singular words used in these Rules include the plural, unless the context indicates a contrary intention.

5.04 AUTHORIZED MANUAL OF PARLIAMENTARY PROCEDURE. "Mason's Manual of Legislative Procedure" governs the House in all applicable cases if it is not inconsistent with these Rules, the Joint Rules of the Senate and House of Representatives, or established custom and usage.

5.05 CONFLICT OF RULES. When there is a conflict between a single House Rule and a single Joint Rule, the Speaker shall make a ruling as to which applies.

#### ARTICLE 6 – COMMITTEES, DIVISIONS, AND REPORTS

6.01 COMMITTEES AND DIVISIONS. Standing committees and divisions of the House must be appointed by the Speaker as follows:

~~Agriculture and Rural Development Policy and Finance~~

~~Capital Investment~~

~~Civil Law~~

~~Commerce and Regulatory Reform~~

~~Education Finance~~

~~Education Reform~~

~~Environment, Energy and Natural Resources Policy and Finance~~

~~Legacy Funding Division~~

~~Ethics~~

~~Government Operations and Elections~~

~~Health and Human Services Finance~~

~~Health and Human Services Reform~~

~~Higher Education Policy and Finance~~

~~Jobs and Economic Development Finance~~

~~Judiciary Policy and Finance~~

~~Public Safety and Crime Prevention Policy and Finance~~

~~Redistricting~~

~~Rules and Legislative Administration~~

~~State Government Finance~~

~~Veterans Services Division~~

~~Taxes~~

~~Property and Local Tax Division~~

~~Transportation Policy and Finance~~

~~Ways and Means~~

~~Agriculture Policy~~

~~Capital Investment~~

~~Civil Law~~

~~Commerce and Consumer Protection Finance and Policy~~

~~Early Childhood and Youth Development Policy~~

~~Education Finance~~

~~Education Policy~~

~~Elections~~

~~Energy Policy~~

~~Environment and Natural Resources Policy~~

~~Environment, Natural Resources, and Agriculture Finance~~

~~Ethics~~

Government OperationsHealth and Human Services FinanceHealth and Human Services PolicyHigher Education Finance and PolicyHousing Finance and PolicyJobs and Economic Development Finance and PolicyJudiciary Finance and PolicyLabor, Workplace, and Regulated IndustriesLegacyPublic Safety Finance and PolicyRules and Legislative AdministrationState Government Finance and Veterans AffairsTaxesProperty and Local Tax DivisionTransportation FinanceTransportation PolicyWays and Means

6.02 COMMITTEE AND DIVISION MEMBERSHIP. At least 30 days before the start of a regular session of the Legislature, the Speaker-designate must provide the minority political party caucuses with a list of the standing committees and divisions proposed for the session. The Speaker-designate must prescribe the number of minority caucus members to be appointed to each committee and division and may require general membership guidelines to be followed in the selection of committee and division members.

If the minority leader submits to the Speaker-designate, at least 15 days before the start of the session, a list of proposed committee and division assignments for the minority caucus that complies with the numbers and guidelines provided, the Speaker must make the proposed assignments with the purpose of attaining proportionate representation on the committees and divisions for the minority caucus.

A committee of the House must not have exclusive membership from one profession, occupation or vocation.

A member must not serve as the chair of the same standing committee or division, or a standing committee or division with substantially the same jurisdiction, during more than the three immediately prior consecutive regular biennial sessions. This Rule does not apply to service as chair of the Committee on Rules and Legislative Administration.

6.03 APPOINTMENTS TO BOARDS AND COMMISSIONS. Upon the convening of the biennial session, the Speaker must notify the members of the House of each board or commission to which a member of the House may be appointed by the Speaker. The Speaker must request advice from the minority leader on these appointments.

6.04 SUBCOMMITTEES. The chair of a committee or division must appoint the chair and members of each subcommittee with the advice and consent of the Speaker. The chair or the committee or division may refer bills to a subcommittee. A subcommittee may exercise the authority delegated to it by the chair or by the committee or division.

6.05 DIVISIONS. (a) If the Speaker or the House refers a bill to a division, the bill remains in that division until the House moves the bill from the division or approves a report from the division that moved the bill from that division. A division report under this paragraph is subject to Rule 6.30.

(b) The chair of a committee may refer a bill within the possession of the committee to a division of that committee. When the chair refers a bill to a division under this paragraph, the chair may recall the bill from the division. A committee chair referring or recalling a bill under this paragraph must give written notice of the referral or recall as soon as possible to the Chief Clerk for publication. To the extent practical, the Chief Clerk must attempt to provide notice on the House Web site of referrals and recalls of bills under this paragraph.

(c) The chair of a division must cause division records to be kept in a manner consistent with Rule 6.24.

(d) Division meetings are subject to Rule 6.20.

(e) Divisions are subject to Rule 6.21.

6.10 THE COMMITTEE ON ETHICS. The Speaker must appoint a Committee on Ethics consisting of four members: two members from the majority political party caucus, and two from the minority caucus. One alternate from each caucus must also be appointed. The committee must adopt written procedures, which must include due process requirements, for handling complaints and issuing guidelines.

A complaint may be brought about conduct by a member that violates a rule or administrative policy of the House, that violates accepted norms of House behavior, that betrays the public trust, or that tends to bring the House into dishonor or disrepute.

A complaint about a member's conduct must present with specificity the factual evidence supporting the complaint. A complaint must be in writing, under oath and signed by two or more members of the House, and submitted to the Speaker. Before submitting the complaint to the Speaker, the complainants must cause a copy of it and any supporting materials to be delivered to any member named in the complaint. Within seven days after receiving a complaint, the Speaker must refer the complaint to the Ethics Committee for processing by the committee according to its rules of procedure.

The existence and substance of a complaint, including any supporting materials, and all proceedings, meetings, hearings, and records of the Ethics Committee are public; except that the committee, upon a majority vote of the whole committee, may meet in executive session to consider or determine the question of probable cause, to consider a member's medical or other health records, or to protect the privacy of a victim or a third party.

A complaint of a breach of confidentiality by a member or employee of the House must be immediately referred by the Speaker to the Ethics Committee for disciplinary action.

The committee must act in an investigatory capacity and may make recommendations regarding complaints submitted to the Speaker before adjournment sine die. With the approval of the Speaker, the committee may retain a retired judge or other nonpartisan legal advisor to advise and assist the committee, as the committee considers appropriate and necessary in the circumstances of the case, in conducting the proceedings and obtaining a complete and accurate understanding of the information relevant to the conduct in question.

Ethics Committee recommendations for disciplinary action must be supported by clear and convincing evidence and must be reported to the House for final disposition.

6.20 COMMITTEE MEETING SCHEDULE; DEADLINES. The Speaker must prepare and publish a schedule of committee meetings, fixing as far as practicable the regular meeting day and time of each committee.

The chair of a committee must give written notice of a special meeting or a change in the regular schedule of meetings. The notice may be announced from the desk and must be posted in public notice locations maintained by the House. The notice must be posted at least one day in advance of the change.

As far as practicable, the chair of a committee must give three days notice of the date, time, place and agenda for each meeting.

Meeting notices must indicate when alternative media will be used to conduct the meeting.

During the first ten weeks of the session in the odd-numbered year and the first five weeks of the session in the even-numbered year, a standing committee must not have a regularly scheduled meeting after noon on Friday, but the Speaker may approve a special meeting of a committee during this time.

A committee must not meet between 12:00 midnight and 7:00 a.m.

Only the Committee on Rules and Legislative Administration may meet during a daily session of the House without leave.

The House shall establish deadlines for each regular session by resolution.

6.21 COMMITTEE PROCEDURES. Meetings of House committees must be open to the public except for executive sessions that the committee on ethics considers necessary under Rule 6.10. For purposes of this requirement, a meeting occurs when a quorum is present and action is taken regarding a matter within the jurisdiction of the committee. This requirement does not apply to a meeting of members of a committee from the same political party caucus.

A majority of members of a committee is a quorum.

The Rules of the House must be observed in committee if they are applicable.

An amendment offered in committee must be on a subject that is within the jurisdiction of the committee. Whether an amendment is on a subject that is within the jurisdiction of the committee is a question to be decided by the person chairing the meeting, who may put the question to the committee.

A member of a committee may demand a roll call vote on any bill, resolution, report, motion or amendment before the committee. If a demand is made, the roll must be called. The name of the member demanding the roll call and the vote of each member must be recorded in the committee minutes.

A committee may reconsider an action while the matter remains in the possession of the committee. A committee member need not have voted with the prevailing side to move to reconsider the action.

The chair of a committee, after consultation with the Speaker, may establish written procedures for the submission of amendments to the committee, the setting of committee agendas, and other matters pertaining to the conduct of the committee's business. Before implementing the written procedures, the chair must provide a copy of them to the Speaker and to each member of the House and must make copies available to others upon request.

6.22 PUBLIC TESTIMONY. Public testimony from proponents and opponents must be allowed on every bill or resolution before a standing committee, division or subcommittee of the House.

6.23 OPEN MEETING ENFORCEMENT. A person may submit to the Speaker a complaint alleging a violation of the open meeting requirements of Rule 6.21. The complaint must be in writing. On receiving a complaint, the Speaker, or a person designated by the Speaker, must investigate the complaint promptly. If the Speaker concludes, following investigation, that a violation of the open meeting Rule may have occurred, the Speaker must refer the complaint to the Committee on Ethics for further proceedings.

6.24 COMMITTEE RECORDS. The chair of a standing committee must cause a committee record to be kept, in the form prescribed by the Committee on Rules and Legislative Administration. The record must include the record of committee proceedings on each bill referred to the committee and the minutes of the committee and any subcommittees.

The committee and subcommittee minutes must include:

- a. the time and place of each hearing or meeting;
- b. the names of committee or subcommittee members who are present;
- c. the name and address, at the Chair's discretion, of each person appearing before the committee or subcommittee, together with the name and address of the person, association, firm or corporation in whose behalf the appearance is made;
- d. the language of each motion, the name of the member making the motion, the result of a vote on the motion, and, on a roll call vote, the names of those in favor and those opposed;
- e. the date on which a subcommittee is established, the names of its members and the file number of bills referred to it and reported by it;
- f. other important matters related to the work of the committee or subcommittee.

The minutes must be approved at the next regular meeting of the committee or subcommittee.

At the end of two business days after approval by the committee or subcommittee, copies of the minutes must be filed with the Chief Clerk and be open to public inspection in the Chief Clerk's office and on the House Web site.

At the end of the legislative biennium minutes and other records must be delivered to the Director of the Legislative Reference Library.

Audio recordings of Committee and Subcommittee meetings must be made available for public use by the end of the business day following each meeting. The chair of a committee who elects not to release the recording of a committee meeting until the minutes of the meeting are approved by the committee must make a copy of the recording available by the end of the next business day after a written request for it is made to the committee. The House must keep the recordings of committee meetings available for public use during the legislative biennium in which they were created and, at the end of the legislative biennium, must transmit a copy of the recordings to the Director of the Legislative Reference Library.

The Legislative Reference Library must keep committee records and recordings available for public use under its rules for eight years after the end of the legislative biennium during which the materials were created and then may preserve or dispose of the recordings as the Library sees fit.

A person may obtain a copy of a recording during the legislative biennium in which it is created by paying a fee determined by the House Controller to cover the cost of preparing the copy. A person may obtain a copy of a recording while it is kept in the Library by paying a fee determined by the House Controller to cover the cost of preparing the copy. A person may obtain a copy of a page of committee minutes or other records for a fee determined by the House Controller to cover the cost of preparing the copy. A copy of a recording must be provided free to a member or staff of the House upon request for use in legislative business.

Testimony and discussion preserved under this Rule are not intended to be admissible in a court or administrative proceeding on an issue of legislative intent.

6.30 COMMITTEE REPORTS. The House must adopt or reject a committee report on a bill or resolution without amendment.

The chair of a standing committee reporting to the House on a bill or resolution must use the form provided for committee reports. Each bill or resolution must be reported separately. The report must state the action taken by the committee and the date of the action. The report must be authenticated by the signature of the chair.

Before a committee reports favorably on a bill or resolution, the chair must see that the form of the bill or resolution conforms to these Rules and the Joint Rules of the House and Senate.

Except during the last seven legislative days in a year, the committee report and any minority report must be submitted to the Chief Clerk at least four hours before the convening of the daily session. ~~But~~ The Committee on Rules and Legislative Administration may report at any time.

6.31 SUBSTITUTION OF BILLS. A standing or special committee or division or its members must not report a substitute for a bill referred to the committee or division if the substitute relates to a different subject, is intended to accomplish a different purpose, or requires a title essentially different from that of the bill referred. If the House is advised that a substitute bill reported to the House violates this Rule, the report must not be adopted.

6.32 MINORITY REPORTS. A minority report must be made separately from the majority report and must be considered before the majority report. If the minority report is adopted the majority report must not be considered. If the minority report is not adopted the majority report must then be considered.

6.40 REPORTS OF CONFERENCE COMMITTEES. A conference committee may report at any time and may meet during a daily session of the House without leave. A conference committee report must be electronically available or printed.

A conference committee report must include only subject matter contained in the House or Senate versions of the bill for which that conference committee was appointed, or like subject matter contained in a bill passed by the House or Senate. The member presenting the conference committee report to the House must disclose all substantive changes from the House version of the bill.

6.50 COMMITTEE OR DIVISION REPORT LAID OVER. The report of any committee or division may be laid over one day and printed in the Journal, if so ordered by the House.

## ARTICLE 7 - OFFICERS OF THE HOUSE

7.01 DUTIES AND PRIVILEGES OF THE SPEAKER. The Speaker must preside over the House and has all the powers and duties of the presiding officer.

The Speaker must preserve order and decorum. The Speaker may order the lobby or galleries cleared in the case of disorderly conduct or other disturbance.

Except as otherwise provided by rule or law, the Speaker has general control of the Chamber of the House and of the corridors, passages and rooms in the Capitol and State Office Building under the jurisdiction of the House.

The Speaker must sign all acts, addresses, joint resolutions, writs, warrants and subpoenas of the House or issued by order of the House. The Speaker must sign all abstracts for the payment of money from funds appropriated by the Legislature to the House; but money must not be paid unless the abstract is also signed by the Controller of the House. Abstracts for compensation of members must be signed by the Chief Clerk pursuant to law.

The Speaker must appoint the Chief Sergeant at Arms or must designate that officer from among the Sergeants at Arms elected by the House or appointed by the Committee on Rules and Legislative Administration.

When an elected office of the House becomes vacant, the Speaker must designate a person to exercise the powers and discharge the duties of the office as necessary until a successor is elected by the House.

**7.02 SUCCESSOR IN OFFICE OF SPEAKER.** When the office of Speaker becomes vacant, the Chair of the Committee on Rules and Legislative Administration has the powers and must discharge the duties of the office as necessary, until a Speaker is elected by the House or until a speaker-designate is selected as provided in this Rule. The House must elect a Speaker when the House is next called to order. If the Legislature is not in session, within 30 days after the office of Speaker becomes vacant the Committee on Rules and Legislative Administration must meet and select a speaker-designate to exercise the powers and discharge the duties of the office as necessary until a Speaker is elected by the House.

**7.05 SPEAKER PRO TEMPORE.** The Speaker must appoint one or more members as Speaker pro tempore. A Speaker pro tempore must preside in the Speaker's absence. In the absence of the Speaker and a Speaker pro tempore, a member selected by the Speaker must preside until the Speaker or Speaker pro tempore returns.

**7.06 SPEAKER EMERITUS.** Any current member having served the House in the capacity of Speaker will, subsequent to that service, be known as Speaker Emeritus, and may perform such ceremonial functions and duties as assigned by the Speaker.

**7.10 DUTIES OF CHIEF CLERK.** The Chief Clerk has general supervision of all clerical duties pertaining to the business of the House. The Chief Clerk must perform, under the direction of the Speaker, all the duties of the office of Chief Clerk. The Chief Clerk must keep records showing the status and progress of all bills, memorials and resolutions.

During a temporary absence of the Chief Clerk, the First Assistant Chief Clerk has all the usual responsibilities of the Chief Clerk and may sign the daily journal, enrollments, abstracts and other legislative documents.

The Chief Clerk must supervise the engrossment and enrollment of bills. The Chief Clerk must see that a record is kept, by file number, of the bills introduced in the House that passed both houses and are enrolled.

The Chief Clerk must ensure that locations accessible to the public are available to post a list of committee and subcommittee meetings and any other announcements or notices the House may require.

The Index Clerk, supervised by the Chief Clerk, must prepare an index in which bills may be indexed by topic, number, author, subject, section of the statutes amended, committees, divisions, and any other method that will make it a complete and comprehensive index.

The index must be open for public inspection during the legislative session and must be printed in the permanent Journal.

7.20 DUTIES OF THE SERGEANT AT ARMS. The Sergeant at Arms must carry out all orders of the House or the Speaker and perform all other services pertaining to the office of Sergeant at Arms, including: maintaining order in the Chamber and other areas used for the business of the House and its committees and divisions and members; supervising the entering and exiting from the Chamber and the other areas; and promptly delivering messages.

#### ARTICLE 8 - ADMINISTRATION OF THE HOUSE

8.01 BUDGET AND FINANCIAL AFFAIRS. The House Controller must prepare a biennial budget for the House. The budget must be approved by the Committee on Rules and Legislative Administration before it is submitted to the State Government Finance and Veterans Affairs Committee. By the 15th day of April, July, October, and January of each year, the Controller must submit a detailed report of House expenditures during the previous quarter to the Speaker and the Committee on Rules and Legislative Administration.

The House Controller must arrange for the purchase of goods and services for the House. The Controller must seek the lowest possible prices consistent with satisfactory quality and dependability. A contract of the House, or an amendment to a contract, authorizing an expenditure of more than \$500 must be signed by the Speaker or the Controller. A contract, or an amendment to a contract, authorizing an expenditure of up to \$500 may be executed by an employee authorized and directed in writing by the Controller to act for the Controller on the contract or contracts of its type. A contract or amendment to a contract entered into in violation of this Rule is not binding on the House. The House Controller must consult with an adaptive technology expert to identify commercially available upgrades for computers and Internet technology that are compatible with adaptive speech technology prior to purchasing upgrades.

Employees of the House must be reimbursed for actual expenses in the same manner as state employees.

During session, for travel away from the Capitol, members must be reimbursed for actual expenses, in addition to per diem expense allowances, in the manner and amount prescribed by the Committee on Rules and Legislative Administration.

8.02 MEMBER OFFICES. Members not seeking re-election are required to vacate their House offices by December 1 of their last year of service. Members who are not re-elected are required to vacate their House offices by December 15 of their last year of service. The Sergeants Office will arrange usable space for these members after their offices are vacated, if requested to do so, and shall accommodate all serving members in the event of a special session.

8.10 COMMITTEE AND DIVISION BUDGETS AND EXPENSES. The Committee on Rules and Legislative Administration must establish a budget for each standing committee and division of the House for expenses incurred by the committee or division, its members, and its staff in conducting its legislative business. Per diem expense allowances paid to members during sessions or at times set by the Speaker or the Committee on Rules and Legislative Administration must not be charged against the budget. A committee or division must not incur expenses in excess of its authorized budget.

All charges against the committee or division budget must be approved by the chair before payment is made.

8.20 APPOINTMENT OF EMPLOYEES. The Committee on Rules and Legislative Administration must designate the position of and appoint each employee of the House and set the compensation of each officer and employee. A record of the appointments, including positions and compensation, must be kept in the office of the House Controller and must be available for inspection by the public.

The Committee on Rules and Legislative Administration must establish the procedure for filling employment vacancies when the Legislature is not in session.

An employee of the House may be assigned to other duties, suspended or discharged at any time by the Committee on Rules and Legislative Administration.

8.30 LEGAL REPRESENTATION. An employee of the nonpartisan House Research Department may not represent the House or its members as counsel of record, in a judicial or administrative proceeding.

#### ARTICLE 9 – CONDUCT

9.01 CODE OF CONDUCT. The Committee on Rules and Legislative Administration, after receiving the recommendation of the Committee on Ethics, must establish and maintain a code of conduct for members, officers and employees of the House.

9.05 CAMPAIGN ACTIVITIES. An employee of the House must not participate in campaign activity during working hours. An employee must not be obliged to participate in campaign activities as a condition of employment. A member is not an employee of the House for purposes of this Rule. House equipment must not be used for campaign activities. The Committee on Rules and Legislative Administration must define the terms of and implement this Rule.

9.10 SOLICITATIONS DURING LEGISLATIVE SESSION. During regular or special session, a member of the House, a political party caucus, the member's principal campaign committee, a political committee with the member's name or title, or a committee authorized by the member that benefits the member, must not solicit or accept a contribution from a registered lobbyist, corporation, labor union, political committee, dissolving principal campaign committee, political fund, or a tribal organization.

A member must not accept compensation for lobbying.

9.20 ACCEPTANCE OF AN HONORARIUM BY A MEMBER. A member must not accept an honorarium for a service performed for an individual or organization that has a direct interest in the business of the House, including, but not limited to, a registered lobbyist or an organization a lobbyist represents. The term "honorarium" does not include reimbursement for expenses incurred and actually paid by a member in performing a service.

Alleged violations of this Rule must be referred to the Committee on Ethics under Rule 6.10. If the Committee on Ethics finds that an honorarium was accepted in violation of this Rule, the Committee must direct its return. If it is not returned, the committee may recommend disciplinary action under Rule 6.10.

9.21 ACCEPTANCE OF TRAVEL AND LODGING BY A MEMBER OR EMPLOYEE. A member or employee of the House must not accept travel or lodging from any foreign government, private for-profit business, labor union, registered lobbyist, or an association thereof, except payment permitted by law of expenses that relate to the member's or employee's participation as a legislator or legislative employee in a meeting or conference. This Rule does not apply to travel or lodging provided to a member in the regular course of the member's employment or business.

9.30 DENIAL OF COMPENSATION WHILE DETAINED. A member must not receive compensation, mileage, or living expenses while the member is incarcerated or on home detention due to a criminal conviction.

9.35 BAN ON LOBBYING. Former state legislators must not register as lobbyists within one year from the date they leave office.

9.40 NO SMOKING IN HOUSE AREAS. Smoking is prohibited in the areas of the Capitol and State Office Building under the jurisdiction of the House, including the House Chamber and Retiring Room and galleries, hearing rooms, minor corridors and offices, private offices, and lounges."

Abeler moved to amend the proposed Permanent Rules of the House for the 88th Session, as follows:

Rule 3.35 is amended to read:

Page 13, delete lines 23 to 27

The motion prevailed and the amendment was adopted.

Abeler moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Rule 3.21 is amended to read:

Page 12, line 4, delete "or any new purpose"

The motion prevailed and the amendment was adopted.

Daudt moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Rule 3.33 is amended to read:

Page 12, lines 18 and 19, delete "first" and insert "next"

Page 13, after line 12, insert:

"(g) If the Calendar for the Day or the Fiscal Calendar is continued, the prefiling period must be reopened in accordance with paragraphs (a) to (e) of this rule, unless the prefiling period is waived or extended under paragraph (f) of this rule."

Reletter the paragraphs and correct the internal references

The motion prevailed and the amendment was adopted.

Runbeck moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 13, after line 12, insert:

"(g) Rule 3.33 is waived in the event the Revisor's System or House computer systems have failed during the time available for drafting of floor amendments."

A roll call was requested and properly seconded.

The question was taken on the Runbeck amendment and the roll was called. There were 60 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abeler	Dauids	Gruenhagen	Kieffer	Myhra	Sanders
Albright	Dean, M.	Gunther	Kiel	Newberger	Schomacker
Anderson, M.	Dettmer	Hackbarth	Kresha	Nornes	Scott
Anderson, P.	Drazkowski	Hamilton	Leidiger	O'Driscoll	Swedzinski
Anderson, S.	Erickson, S.	Hertaus	Liebling	O'Neill	Torkelson
Barrett	Fabian	Holberg	Lohmer	Peppin	Uglem
Beard	FitzSimmons	Hoppe	Loon	Petersburg	Urdahl
Benson, M.	Franson	Howe	Mack	Pugh	Wills
Cornish	Garofalo	Johnson, B.	McDonald	Quam	Woodard
Daudt	Green	Kelly	McNamara	Runbeck	Zerwas

Those who voted in the negative were:

Allen	Dorholt	Hornstein	Mahoney	Nelson	Selcer
Anzelc	Erhardt	Hortman	Mariani	Newton	Simon
Atkins	Erickson, R.	Huntley	Marquart	Norton	Simonson
Benson, J.	Falk	Isaacson	Masin	Paymar	Sundin
Bernardy	Faust	Johnson, S.	McNamar	Pelowski	Wagenius
Bly	Fischer	Kahn	Melin	Persell	Ward, J.A.
Brynaert	Freiberg	Laine	Metsa	Poppe	Ward, J.E.
Carlson	Fritz	Lenczewski	Moran	Radinovich	Winkler
Clark	Halverson	Lesch	Morgan	Rosenthal	Yarusso
Davnie	Hansen	Lien	Mullery	Savick	Spk. Thissen
Dehn, R.	Hausman	Lillie	Murphy, E.	Sawatzky	
Dill	Hilstrom	Loeffler	Murphy, M.	Schoen	

The motion did not prevail and the amendment was not adopted.

Holberg moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Rule 2.40 is amended to read:

Page 8, line 34, after the semicolon, insert "a family member of a member;"

The motion prevailed and the amendment was adopted.

Woodard moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 18, after line 15, insert:

"No bill subject to the jurisdiction of the Committee on Capital Investment shall be passed by the House unless the chief fiscal analyst of the House has certified to the Chair, Speaker, and Minority Leader that the shift in K12 funding is at or better than a 90/10 split, and that no outstanding debt is owed school districts for the property tax recognition shift."

A roll call was requested and properly seconded.

The Speaker called Hortman to the Chair.

The question was taken on the Woodard amendment and the roll was called. There were 59 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Gruenhagen	Kieffer	Newberger	Schomacker
Albright	Dean, M.	Gunther	Kiel	Nornes	Scott
Anderson, M.	Dettmer	Hackbarth	Kresha	O'Driscoll	Swedzinski
Anderson, P.	Drazkowski	Hamilton	Leidiger	O'Neill	Torkelson
Anderson, S.	Erickson, S.	Hertaus	Lohmer	Peppin	Uglem
Barrett	Fabian	Holberg	Loon	Petersburg	Urdahl
Beard	FitzSimmons	Hoppe	Mack	Pugh	Wills
Benson, M.	Franson	Howe	McDonald	Quam	Woodard
Cornish	Garofalo	Johnson, B.	McNamara	Runbeck	Zerwas
Daudt	Green	Kelly	Myhra	Sanders	

Those who voted in the negative were:

Allen	Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen
Anzelc	Erhardt	Hortman	Mahoney	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mariani	Newton	Simon
Benson, J.	Falk	Isaacson	Marquart	Norton	Simonson
Bernardy	Faust	Johnson, S.	Masin	Paymar	Sundin
Bly	Fischer	Kahn	McNamar	Pelowski	Wagenius
Brynaert	Freiberg	Laine	Melin	Persell	Ward, J.A.
Carlson	Fritz	Lenczewski	Metsa	Poppe	Ward, J.E.
Clark	Halverson	Lesch	Moran	Radinovich	Winkler
Davnie	Hansen	Liebling	Morgan	Rosenthal	Yarusso
Dehn, R.	Hausman	Lien	Mullery	Savick	Spk. Thissen
Dill	Hilstrom	Lillie	Murphy, E.	Sawatzky	

The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair.

Holberg moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Rule 3.33 is amended to read:

Page 13, after line 9, insert:

"(f) An amendment to a bill or a prefiled amendment must include a stamp indicating the date and time that the amendment was drafted."

Page 13, line 10, delete "(f)" and insert "(g)"

The motion prevailed and the amendment was adopted.

Mack moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Rule 3.33 is amended to read:

Page 12, line 17, delete "Speaker" and insert "Chief Clerk"

Page 13, line 1, delete the first and second "Speaker" and insert "Chief Clerk" in both places

Page 13, line 5, delete "Speaker" and insert "Chief Clerk"

The motion prevailed and the amendment was adopted.

Anderson, S., moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 26, line 10, after the period, insert "No committee may adopt a rule of procedure that establishes a deadline for amendments to be prefiled with the committee."

A roll call was requested and properly seconded.

The question was taken on the Anderson, S., amendment and the roll was called. There were 59 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Albright	Dean, M.	Gunther	Kiel	Nornes	Scott
Anderson, M.	Dettmer	Hackbarth	Kresha	O'Driscoll	Swedzinski
Anderson, P.	Drazkowski	Hamilton	Leidiger	O'Neill	Torkelson
Anderson, S.	Erickson, S.	Hertaus	Lohmer	Peppin	Uglem
Barrett	Fabian	Holberg	Loon	Petersburg	Urdahl
Beard	FitzSimmons	Hoppe	Mack	Pugh	Wills
Benson, M.	Franson	Howe	McDonald	Quam	Woodard
Cornish	Garofalo	Johnson, B.	McNamara	Runbeck	Zellers
Daudt	Green	Kelly	Myhra	Sanders	Zerwas
Davids	Gruenhagen	Kieffer	Newberger	Schomacker	

Those who voted in the negative were:

Abeler	Dill	Hilstrom	Lillie	Murphy, E.	Sawatzky
Allen	Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen
Anzelc	Erhardt	Hortman	Mahoney	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mariani	Newton	Simon
Benson, J.	Falk	Isaacson	Marquart	Norton	Simonson
Bernardy	Faust	Johnson, S.	Masin	Paymar	Sundin
Bly	Fischer	Kahn	McNamar	Pelowski	Wagenius
Brynaert	Freiberg	Laine	Melin	Persell	Ward, J.A.
Carlson	Fritz	Lenczewski	Metsa	Poppe	Ward, J.E.
Clark	Halverson	Lesch	Moran	Radinovich	Winkler
Davnie	Hansen	Liebling	Morgan	Rosenthal	Yarusso
Dehn, R.	Hausman	Lien	Mullery	Savick	Spk. Thissen

The motion did not prevail and the amendment was not adopted.

Sanders moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 2, after line 2, insert:

"(9) The Committee of the Whole"

Page 2, after line 14, insert:

"1.05 COMMITTEE OF THE WHOLE. The Committee of the Whole is a committee of the entire membership of the House. The Speaker may appoint another member as chair to preside over the Committee of the Whole.

When the House arrives at the General Orders of the Day, it shall resolve itself into a Committee of the Whole to consider bills on General Orders.

A bill considered in the Committee of the Whole shall be reported and then debated by sections, with the title considered last. All amendments shall be typewritten and five copies shall be submitted to the Chair who shall report them to the House.

1.06 RULES TO APPLY TO COMMITTEE OF THE WHOLE. The Rules of the House shall be observed in the Committee of the Whole so far as may be applicable except that the previous question shall not be forced or speaking limited.

Upon demand of 15 members, the yeas and nays shall be called, the question voted on, and the yeas and nays recorded in the Journal of the House.

In the Committee of the Whole no amendment increasing the amount of any appropriation shall be passed without the yeas and nays recorded in the Journal of the House.

A motion that the Committee arise shall always be in order and shall be decided without debate.

1.07 GENERAL ORDERS OF THE DAY. The Chief Clerk at the direction of the Speaker shall prepare the General Orders of the Day, which is a list of all bills which have not been made Special Orders, numbered according to their order at second reading. Unless otherwise ordered by a majority of the Committee, items on General Orders shall be taken up in numerical order.

The Chief Clerk shall see that a copy of each bill printed under the Rules or Orders of the House is placed in each member's file, which is to be kept at the member's desk in the chamber, at least 24 hours before the bill shall be considered in the Committee of the Whole.

If a bill is progressed three times it shall be placed at the end of General Orders.

Except during the last five days in any year on which a bill may be passed, a bill amended in the Committee of the Whole shall not be given its third reading until it is engrossed and reproduced as amended.

1.08 THIRD READING OF BILLS. No amendment shall be received after the third reading without the unanimous consent of the House, except to fill blanks or to amend titles.

At any time prior to its passage any bill or resolution may be referred or re-referred by a majority vote of the whole House. If the committee, other than the Committee of the Whole, to which it was referred or re-referred reports an amendment on it, it shall again be given its second reading, considered in Committee of the Whole, given its third reading and placed upon its final passage.

1.09 SPECIAL ORDERS. A bill may be made the Order of the Day for a special time and be placed upon a separate list known as "Special Orders."

The Committee on Rules and Legislative Administration may by committee report designate as a Special Order any bill which has had its second reading.

Any member may move to make a bill a Special Order by giving notice at least two legislative days in advance of and specifying the day on which the member will so move. The notice shall include the number and title of the bill and the day and time certain for the Special Order. Only the member giving such notice, or another member designated in writing by the member who originally gave notice of the Special Order to the Speaker, may make the motion for the Special Order. A two-thirds vote of the whole House on such motion is required to make a bill a Special Order.

The time set for the motion may not be extended, and failure to make the motion on the specified day forfeits the right to make the motion.

A motion to make a bill a Special Order, when made according to the procedures herein prescribed, shall be a privileged motion, shall take precedence over all other motions except a motion to adjourn or to set the time to adjourn and questions of personal privilege, and may be made at any time on the day designated in the notice. A three-fourths vote of the whole House is required to suspend the motion.

Any Special Order, or any part of it, may be continued or postponed by two-thirds vote of the whole House at the time of such Special Order; however, a Special Order designated by the Committee on Rules and Legislative Administration may be continued or postponed by a majority vote of the whole House at the time of such Special Order. If a bill on Special Orders has been continued three times by the author or co-author a motion for continuance shall not be in order and the bill shall be returned to General Orders.

When the time arrives for the consideration of any Special Order, the House shall consider each bill upon the Special Order in the order in which it is listed. After consideration it shall immediately be read the third time and placed upon final passage."

Page 4, line 10, delete everything after the second period

Page 4, delete lines 11 to 12

Page 5, line 3, delete everything after the period

Page 5, delete line 4

Page 11, delete lines 28 to 34

Page 12, delete lines 1 to 34

#### CALL OF THE HOUSE

On the motion of O'Driscoll and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Albright	Anderson, P.	Atkins	Benson, J.	Bly	Clark
Allen	Anderson, S.	Barrett	Benson, M.	Brynaert	Cornish
Anderson, M.	Anzelc	Beard	Bernardy	Carlson	Daudt

Davids	Garofalo	Kahn	Masin	Paymar	Simonson
Davnie	Green	Kelly	McDonald	Pelowski	Sundin
Dean, M.	Gruenhagen	Kieffer	McNamar	Peppin	Swedzinski
Dehn, R.	Gunther	Kiel	McNamara	Persell	Torkelson
Dettmer	Hackbarth	Kresha	Melin	Petersburg	Uglem
Dill	Halverson	Laine	Metsa	Poppe	Urdahl
Dorholt	Hansen	Leidiger	Moran	Pugh	Wagenius
Drazkowski	Hausman	Lenczewski	Morgan	Quam	Ward, J.A.
Erhardt	Hertaus	Lesch	Mullery	Radinovich	Ward, J.E.
Erickson, R.	Hilstrom	Liebling	Murphy, E.	Rosenthal	Wills
Erickson, S.	Holberg	Lien	Murphy, M.	Runbeck	Winkler
Fabian	Hoppe	Lillie	Myhra	Sanders	Woodard
Falk	Hornstein	Loeffler	Nelson	Savick	Yarusso
Faust	Hortman	Lohmer	Newberger	Sawatzky	Zellers
Fischer	Howe	Loon	Newton	Schoen	Zerwas
FitzSimmons	Huntley	Mack	Nornes	Schomacker	Spk. Thissen
Franson	Isaacson	Mahoney	Norton	Scott	
Freiberg	Johnson, B.	Mariani	O'Driscoll	Selcer	
Fritz	Johnson, S.	Marquart	O'Neill	Simon	

Murphy, E., moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Sanders amendment to the proposed Permanent Rules of the House for the 88th Session, as amended. The motion did not prevail and the amendment was not adopted.

#### CALL OF THE HOUSE LIFTED

Hilstrom moved that the call of the House be lifted. The motion prevailed and it was so ordered.

McNamara moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Rule 6.30 is amended to read:

Page 28, line 11, after the period, insert "The committee report must be posted online for at least 24 hours by the revisor before the bill can move to the next committee or be given a second reading."

A roll call was requested and properly seconded.

The question was taken on the McNamara amendment and the roll was called. There were 61 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abeler	Beard	Dettmer	Franson	Hamilton	Kelly
Albright	Benson, M.	Dill	Garofalo	Hertaus	Kieffer
Anderson, M.	Cornish	Drazkowski	Green	Holberg	Kiel
Anderson, P.	Daudt	Erickson, S.	Gruenhagen	Hoppe	Kresha
Anderson, S.	Davids	Fabian	Gunther	Howe	Leidiger
Barrett	Dean, M.	FitzSimmons	Hackbarth	Johnson, B.	Lohmer

Loon	Newberger	Petersburg	Schomacker	Urdahl
Mack	Nornes	Pugh	Scott	Wills
McDonald	O'Driscoll	Quam	Swedzinski	Woodard
McNamara	O'Neill	Runbeck	Torkelson	Zellers
Myhra	Peppin	Sanders	Uglem	Zerwas

Those who voted in the negative were:

Allen	Erhardt	Hortman	Mahoney	Nelson	Selcer
Anzelc	Erickson, R.	Huntley	Mariani	Newton	Simon
Atkins	Falk	Isaacson	Marquart	Norton	Simonson
Benson, J.	Faust	Johnson, S.	Masin	Paymar	Sundin
Bernardy	Fischer	Kahn	McNamar	Pelowski	Wagenius
Bly	Freiberg	Laine	Melin	Persell	Ward, J.A.
Brynaert	Fritz	Lenczewski	Metsa	Poppe	Ward, J.E.
Carlson	Halverson	Lesch	Moran	Radinovich	Winkler
Clark	Hansen	Liebling	Morgan	Rosenthal	Yarusso
Davnie	Hausman	Lien	Mullery	Savick	Spk. Thissen
Dehn, R.	Hilstrom	Lillie	Murphy, E.	Sawatzky	
Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen	

The motion did not prevail and the amendment was not adopted.

Davids and Holberg moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 17, line 22, after the period, insert:

"(e) The House must pass the omnibus tax bill prior to the passage of any other bill listed under Rule 4.03, paragraph (3)."

A roll call was requested and properly seconded.

The question was taken on the Davids and Holberg amendment and the roll was called. There were 60 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Gruenhagen	Kieffer	Newberger	Schomacker
Albright	Dean, M.	Gunther	Kiel	Nornes	Scott
Anderson, M.	Dettmer	Hackbarth	Kresha	O'Driscoll	Swedzinski
Anderson, P.	Drazkowski	Hamilton	Leidiger	O'Neill	Torkelson
Anderson, S.	Erickson, S.	Hertaus	Lohmer	Peppin	Uglem
Barrett	Fabian	Holberg	Loon	Petersburg	Urdahl
Beard	FitzSimmons	Hoppe	Mack	Pugh	Wills
Benson, M.	Franson	Howe	McDonald	Quam	Woodard
Cornish	Garofalo	Johnson, B.	McNamara	Runbeck	Zellers
Daudt	Green	Kelly	Myhra	Sanders	Zerwas

Those who voted in the negative were:

Allen	Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen
Anzelc	Erhardt	Hortman	Mahoney	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mariani	Newton	Simon
Benson, J.	Falk	Isaacson	Marquart	Norton	Simonson
Bernardy	Faust	Johnson, S.	Masin	Paymar	Sundin
Bly	Fischer	Kahn	McNamar	Pelowski	Wagenius
Brynaert	Freiberg	Laine	Melin	Persell	Ward, J.A.
Carlson	Fritz	Lenczewski	Metsa	Poppe	Ward, J.E.
Clark	Halverson	Lesch	Moran	Radinovich	Winkler
Davnie	Hansen	Liebling	Morgan	Rosenthal	Yarusso
Dehn, R.	Hausman	Lien	Mullery	Savick	Spk. Thissen
Dill	Hilstrom	Lillie	Murphy, E.	Sawatzky	

The motion did not prevail and the amendment was not adopted.

Peppin moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 25, line 5, after the period, insert "A member who is a practicing attorney must submit to and maintain with the Committee on Ethics an accurate list of clients. This submission, and any ethics complaint arising from this client list, shall be considered a private matter, and records shall not be treated as public data. Hearings regarding a complaint involving these lists must be held in private, and only final recommendations for disciplinary action shall be made public, when reported to the House."

A roll call was requested and properly seconded.

The question was taken on the Peppin amendment and the roll was called. There were 54 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Hackbarth	Kiel	Nornes	Schomacker
Anderson, M.	Drazkowski	Hamilton	Leidiger	O'Driscoll	Scott
Anderson, P.	Erickson, S.	Hertaus	Lohmer	O'Neill	Torkelson
Barrett	Fabian	Holberg	Loon	Peppin	Uglen
Benson, M.	Franson	Hoppe	Mack	Petersburg	Urdahl
Cornish	Garofalo	Howe	McDonald	Pugh	Wills
Daudt	Green	Johnson, B.	McNamara	Quam	Woodard
Davids	Gruenhagen	Kelly	Myhra	Runbeck	Zellers
Dean, M.	Gunther	Kieffer	Newberger	Sanders	Zerwas

Those who voted in the negative were:

Abeler	Bernardy	Dehn, R.	Faust	Hausman	Johnson, S.
Allen	Bly	Dill	Fischer	Hilstrom	Kahn
Anzelc	Brynaert	Dorholt	Freiberg	Hornstein	Kresha
Atkins	Carlson	Erhardt	Fritz	Hortman	Laine
Beard	Clark	Erickson, R.	Halverson	Huntley	Lenczewski
Benson, J.	Davnie	Falk	Hansen	Isaacson	Lesch

Liebling	Masin	Murphy, E.	Persell	Selcer	Ward, J.E.
Lien	McNamar	Murphy, M.	Poppe	Simon	Winkler
Lillie	Melin	Nelson	Radinovich	Simonson	Yarusso
Loeffler	Metsa	Newton	Rosenthal	Sundin	Spk. Thissen
Mahoney	Moran	Norton	Savick	Swedzinski	
Mariani	Morgan	Paymar	Sawatzky	Wagenius	
Marquart	Mullery	Pelowski	Schoen	Ward, J.A.	

The motion did not prevail and the amendment was not adopted.

Beard was excused for the remainder of today's session.

Dean, M., moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 13, after line 12, insert:

"(g) An amendment that is not prefiled and is out of order under paragraph (a) may be offered by a member and shall be allowed for consideration with consent of a majority of the whole House."

A roll call was requested and properly seconded.

The question was taken on the Dean, M., amendment and the roll was called. There were 59 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean, M.	Gunther	Kiel	Nornes	Scott
Albright	Dettmer	Hackbarth	Kresha	O'Driscoll	Swedzinski
Anderson, M.	Drazkowski	Hamilton	Leidiger	O'Neill	Torkelson
Anderson, P.	Erickson, S.	Hertaus	Lohmer	Peppin	Uglen
Anderson, S.	Fabian	Holberg	Loon	Petersburg	Urdahl
Barrett	FitzSimmons	Hoppe	Mack	Pugh	Wills
Benson, M.	Franson	Howe	McDonald	Quam	Woodard
Cornish	Garofalo	Johnson, B.	McNamara	Runbeck	Zellers
Daudt	Green	Kelly	Myhra	Sanders	Zerwas
Davids	Gruenhagen	Kieffer	Newberger	Schomacker	

Those who voted in the negative were:

Allen	Davnie	Freiberg	Isaacson	Loeffler	Morgan
Anzelc	Dehn, R.	Fritz	Johnson, S.	Mahoney	Mullery
Atkins	Dill	Halverson	Kahn	Mariani	Murphy, E.
Benson, J.	Dorholt	Hansen	Laine	Marquart	Murphy, M.
Bernardy	Erhardt	Hausman	Lenczewski	Masin	Nelson
Bly	Erickson, R.	Hilstrom	Lesch	McNamar	Newton
Brynaert	Falk	Hornstein	Liebling	Melin	Norton
Carlson	Faust	Hortman	Lien	Metsa	Paymar
Clark	Fischer	Huntley	Lillie	Moran	Pelowski

Persell	Rosenthal	Schoen	Simonson	Ward, J.A.	Yarusso
Poppe	Savick	Selcer	Sundin	Ward, J.E.	Spk. Thissen
Radinovich	Sawatzky	Simon	Wagenius	Winkler	

The motion did not prevail and the amendment was not adopted.

Drazkowski moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 25, line 14, after the period, insert "Bills added to an agenda without three days notice may be heard and amended, but may not pass a committee without unanimous consent of members in attendance."

The motion did not prevail and the amendment was not adopted.

Pursuant to rule 1.50, Murphy, E., moved that the House be allowed to continue in session after 12:00 midnight. The motion prevailed.

Dettmer moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 13, after line 12, insert:

"(g) Rule 3.33 does not apply to amendments that were originated by a member of the general public who is not a registered lobbyist or associated with a registered lobbyist."

A roll call was requested and properly seconded.

The question was taken on the Dettmer amendment and the roll was called. There were 59 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean, M.	Gunther	Kiel	Nornes	Scott
Albright	Dettmer	Hackbarth	Kresha	O'Driscoll	Swedzinski
Anderson, M.	Drazkowski	Hamilton	Leidiger	O'Neill	Torkelson
Anderson, P.	Erickson, S.	Hertaus	Lohmer	Peppin	Uglem
Anderson, S.	Fabian	Holberg	Loon	Petersburg	Urdahl
Barrett	FitzSimmons	Hoppe	Mack	Pugh	Wills
Benson, M.	Franson	Howe	McDonald	Quam	Woodard
Cornish	Garofalo	Johnson, B.	McNamara	Runbeck	Zellers
Daudt	Green	Kelly	Myhra	Sanders	Zerwas
Davids	Gruenhagen	Kieffer	Newberger	Schomacker	

Those who voted in the negative were:

Allen	Benson, J.	Brynaert	Davnie	Dorholt	Falk
Anzelc	Bernardy	Carlson	Dehn, R.	Erhardt	Faust
Atkins	Bly	Clark	Dill	Erickson, R.	Fischer

Freiberg	Isaacson	Loeffler	Morgan	Persell	Simonson
Fritz	Johnson, S.	Mahoney	Mullery	Poppe	Sundin
Halverson	Kahn	Mariani	Murphy, E.	Radinovich	Wagenius
Hansen	Laine	Marquart	Murphy, M.	Rosenthal	Ward, J.A.
Hausman	Lenczewski	Masin	Nelson	Savick	Ward, J.E.
Hilstrom	Lesch	McNamar	Newton	Sawatzky	Winkler
Hornstein	Liebling	Melin	Norton	Schoen	Yarusso
Hortman	Lien	Metsa	Paymar	Selcer	Spk. Thissen
Huntley	Lillie	Moran	Pelowski	Simon	

The motion did not prevail and the amendment was not adopted.

Loon moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 28, after line 28, insert:

"All amendments proposed for adoption in a conference committee shall be posted at least 24 hours prior to being acted upon by the conference committee."

The motion did not prevail and the amendment was not adopted.

Garofalo was excused for the remainder of today's session.

Dauids moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 13, after line 12, insert:

"(g) An amendment that has not met the prefilng requirements of Rule 3.33 shall be considered in order if requested by at least one member of each of the two largest caucuses in the House."

A roll call was requested and properly seconded.

The question was taken on the Davids amendment and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean, M.	Hackbarth	Kresha	O'Driscoll	Swedzinski
Albright	Dettmer	Hamilton	Leidiger	O'Neill	Torkelson
Anderson, M.	Drazkowski	Hertaus	Lohmer	Peppin	Uglen
Anderson, P.	Erickson, S.	Holberg	Loon	Petersburg	Urdahl
Anderson, S.	Fabian	Hoppe	Mack	Pugh	Wills
Barrett	FitzSimmons	Howe	McDonald	Quam	Woodard
Benson, M.	Franson	Johnson, B.	McNamara	Runbeck	Zellers
Cornish	Green	Kelly	Myhra	Sanders	Zerwas
Daudt	Gruenhagen	Kieffer	Newberger	Schomacker	
Davids	Gunther	Kiel	Nornes	Scott	

Those who voted in the negative were:

Allen	Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen
Anzelc	Erhardt	Hortman	Mahoney	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mariani	Newton	Simon
Benson, J.	Falk	Isaacson	Marquart	Norton	Simonson
Bernardy	Faust	Johnson, S.	Masin	Paymar	Sundin
Bly	Fischer	Kahn	McNamar	Pelowski	Wagenius
Brynaert	Freiberg	Laine	Melin	Persell	Ward, J.A.
Carlson	Fritz	Lenczewski	Metsa	Poppe	Ward, J.E.
Clark	Halverson	Lesch	Moran	Radinovich	Winkler
Davnie	Hansen	Liebling	Morgan	Rosenthal	Yarusso
Dehn, R.	Hausman	Lien	Mullery	Savick	Spk. Thissen
Dill	Hilstrom	Lillie	Murphy, E.	Sawatzky	

The motion did not prevail and the amendment was not adopted.

Scott moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 25, after line 5, insert:

"The Ethics Committee will meet within one week of an allegation of criminal conduct or behavior by a member, and shall review and investigate any allegation of criminal conduct by the member. This review shall be public, unless the members of the Ethics Committee, by unanimous consent, determine that initial meetings should be noted to the public but conducted in private."

The motion did not prevail and the amendment was not adopted.

Holberg moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Rule 6.20 is amended to read:

Page 25, line 14, after the period, insert "If the chair of the committee fails to comply with the three days' notice requirement for committee meetings, then the chair must not impose a 24-hour prefiling requirement for amendments."

A roll call was requested and properly seconded.

The question was taken on the Holberg amendment and the roll was called. There were 61 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, S.	Cornish	Dettmer	Fabian	Gruenhagen
Albright	Atkins	Daudt	Dill	FitzSimmons	Gunther
Anderson, M.	Barrett	Dauids	Drazkowski	Franson	Hackbarth
Anderson, P.	Benson, M.	Dean, M.	Erickson, S.	Green	Hamilton

Hertaus	Kiel	McNamara	Petersburg	Scott	Zellers
Holberg	Kresha	Myhra	Pugh	Swedzinski	Zerwas
Hoppe	Leidiger	Newberger	Quam	Torkelson	
Howe	Lohmer	Nornes	Rosenthal	Uglem	
Johnson, B.	Loon	O'Driscoll	Runbeck	Urdahl	
Kelly	Mack	O'Neill	Sanders	Wills	
Kieffer	McDonald	Peppin	Schomacker	Woodard	

Those who voted in the negative were:

Allen	Erickson, R.	Huntley	Mariani	Newton	Simonson
Anzelc	Falk	Isaacson	Marquart	Norton	Sundin
Benson, J.	Faust	Johnson, S.	Masin	Paymar	Wagenius
Bernardy	Fischer	Kahn	McNamar	Pelowski	Ward, J.A.
Bly	Freiberg	Laine	Melin	Persell	Ward, J.E.
Brynaert	Fritz	Lenczewski	Metsa	Poppe	Winkler
Carlson	Halverson	Lesch	Moran	Radinovich	Yarusso
Clark	Hansen	Liebling	Morgan	Savick	Spk. Thissen
Davnie	Hausman	Lien	Mullery	Sawatzky	
Dehn, R.	Hilstrom	Lillie	Murphy, E.	Schoen	
Dorholt	Hornstein	Loeffler	Murphy, M.	Selcer	
Erhardt	Hortman	Mahoney	Nelson	Simon	

The motion did not prevail and the amendment was not adopted.

#### CALL OF THE HOUSE

On the motion of Daudt and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Dettmer	Hausman	Lillie	Newton	Selcer
Albright	Dill	Hertaus	Loeffler	Nornes	Simon
Allen	Dorholt	Hilstrom	Lohmer	Norton	Simonson
Anderson, M.	Drazkowski	Holberg	Loon	O'Driscoll	Sundin
Anderson, P.	Erhardt	Hoppe	Mack	O'Neill	Swedzinski
Anderson, S.	Erickson, R.	Hornstein	Mahoney	Paymar	Torkelson
Anzelc	Erickson, S.	Hortman	Mariani	Pelowski	Uglem
Atkins	Fabian	Howe	Marquart	Peppin	Urdahl
Barrett	Falk	Huntley	Masin	Persell	Wagenius
Benson, J.	Faust	Isaacson	McDonald	Petersburg	Ward, J.A.
Benson, M.	Fischer	Johnson, B.	McNamar	Poppe	Ward, J.E.
Bernardy	FitzSimmons	Johnson, S.	McNamara	Pugh	Wills
Bly	Franson	Kahn	Melin	Quam	Winkler
Brynaert	Freiberg	Kelly	Metsa	Radinovich	Woodard
Carlson	Fritz	Kieffer	Moran	Rosenthal	Yarusso
Clark	Green	Kiel	Morgan	Runbeck	Zellers
Cornish	Gruenhagen	Kresha	Mullery	Sanders	Zerwas
Daudt	Gunther	Leidiger	Murphy, E.	Savick	Spk. Thissen
Davids	Hackbarth	Lenczewski	Murphy, M.	Sawatzky	
Davnie	Halverson	Lesch	Myhra	Schoen	
Dean, M.	Hamilton	Liebling	Nelson	Schomacker	
Dehn, R.	Hansen	Lien	Newberger	Scott	

Murphy, E., moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Daudt moved that the Report from the Committee on Rules and Legislative Administration relating to the proposed Permanent Rules of the House for the 88th Session, as amended, be re-referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Daudt motion and the roll was called. There were 60 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean, M.	Gunther	Kiel	Newberger	Schomacker
Albright	Dettmer	Hackbarth	Kresha	Nornes	Scott
Anderson, M.	Dill	Hamilton	Leidiger	O'Driscoll	Swedzinski
Anderson, P.	Drazkowski	Hertaus	Liebling	O'Neill	Torkelson
Anderson, S.	Erickson, S.	Holberg	Lohmer	Peppin	Uglem
Barrett	Fabian	Hoppe	Loon	Petersburg	Urdahl
Benson, M.	FitzSimmons	Howe	Mack	Pugh	Wills
Cornish	Franson	Johnson, B.	McDonald	Quam	Woodard
Daudt	Green	Kelly	McNamara	Runbeck	Zellers
Davids	Gruenhagen	Kieffer	Myhra	Sanders	Zerwas

Those who voted in the negative were:

Allen	Erhardt	Hortman	Mariani	Newton	Simon
Anzelc	Erickson, R.	Huntley	Marquart	Norton	Simonson
Atkins	Falk	Isaacson	Masin	Paymar	Sundin
Benson, J.	Faust	Johnson, S.	McNamar	Pelowski	Wagenius
Bernardy	Fischer	Kahn	Melin	Persell	Ward, J.A.
Bly	Freiberg	Laine	Metsa	Poppe	Ward, J.E.
Brynaert	Fritz	Lenczewski	Moran	Radinovich	Winkler
Carlson	Halverson	Lesch	Morgan	Rosenthal	Yarusso
Clark	Hansen	Lien	Mullery	Savick	Spk. Thissen
Davnie	Hausman	Lillie	Murphy, E.	Sawatzky	
Dehn, R.	Hilstrom	Loeffler	Murphy, M.	Schoen	
Dorholt	Hornstein	Mahoney	Nelson	Selcer	

The motion did not prevail.

Kiel moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 13, after line 12, insert:

"(g) Rule 3.33 does not apply to amendments proposing to provide assistance to victims of a natural disaster."

A roll call was requested and properly seconded.

Murphy, E., moved that the Kiel amendment to the proposed Permanent Rules of the House for the 88th Session, as amended, be referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Murphy, E., motion and the roll was called. There were 70 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Allen	Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen
Anzelc	Erhardt	Hortman	Mahoney	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mariani	Newton	Simon
Benson, J.	Falk	Isaacson	Marquart	Norton	Simonson
Bernardy	Faust	Johnson, S.	Masin	Paymar	Sundin
Bly	Fischer	Kahn	McNamar	Pelowski	Wagenius
Brynaert	Freiberg	Laine	Melin	Persell	Ward, J.E.
Carlson	Fritz	Lenczewski	Metsa	Poppe	Winkler
Clark	Halverson	Lesch	Moran	Radinovich	Yarusso
Davnie	Hansen	Liebling	Morgan	Rosenthal	Spk. Thissen
Dehn, R.	Hausman	Lien	Mullery	Savick	
Dill	Hilstrom	Lillie	Murphy, E.	Sawatzky	

Those who voted in the negative were:

Abeler	Dean, M.	Hackbarth	Kresha	O'Driscoll	Swedzinski
Albright	Dettmer	Hamilton	Leidiger	O'Neill	Torkelson
Anderson, M.	Drazkowski	Hertaus	Lohmer	Peppin	Uglen
Anderson, P.	Erickson, S.	Holberg	Loon	Petersburg	Urdahl
Anderson, S.	Fabian	Hoppe	Mack	Pugh	Wills
Barrett	FitzSimmons	Howe	McDonald	Quam	Woodard
Benson, M.	Franson	Johnson, B.	McNamara	Runbeck	Zellers
Cornish	Green	Kelly	Myhra	Sanders	Zerwas
Daudt	Gruenhagen	Kieffer	Newberger	Schomacker	
Davids	Gunther	Kiel	Nornes	Scott	

The motion prevailed and the Kiel amendment was referred to the Committee on Rules and Legislative Administration.

Zellers moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 13, after line 12, insert:

"(g) Rule 3.33 does not apply to amendments specifying or containing incentives to bring jobs to Minnesota."

A roll call was requested and properly seconded.

Murphy, E., moved that the Zellers amendment to the proposed Permanent Rules of the House for the 88th Session, as amended, be referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Murphy, E., motion and the roll was called. There were 69 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Allen	Erhardt	Hortman	Mahoney	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mariani	Newton	Simon
Benson, J.	Falk	Isaacson	Marquart	Norton	Simonson
Bernardy	Faust	Johnson, S.	Masin	Paymar	Sundin
Bly	Fischer	Kahn	McNamar	Pelowski	Wagenius
Brynaert	Freiberg	Laine	Melin	Persell	Ward, J.E.
Carlson	Fritz	Lenczewski	Metsa	Poppe	Winkler
Clark	Halverson	Lesch	Moran	Radinovich	Yarusso
Davnie	Hansen	Liebling	Morgan	Rosenthal	Spk. Thissen
Dehn, R.	Hausman	Lien	Mullery	Savick	
Dill	Hilstrom	Lillie	Murphy, E.	Sawatzky	
Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen	

Those who voted in the negative were:

Abeler	Davids	Gunther	Kiel	Nornes	Scott
Albright	Dean, M.	Hackbarth	Kresha	O'Driscoll	Swedzinski
Anderson, M.	Dettmer	Hamilton	Leidiger	O'Neill	Torkelson
Anderson, P.	Drazkowski	Hertaus	Lohmer	Peppin	Uglen
Anderson, S.	Erickson, S.	Holberg	Loon	Petersburg	Urdahl
Anzelc	Fabian	Hoppe	Mack	Pugh	Ward, J.A.
Barrett	FitzSimmons	Howe	McDonald	Quam	Wills
Benson, M.	Franson	Johnson, B.	McNamara	Runbeck	Woodard
Cornish	Green	Kelly	Myhra	Sanders	Zellers
Daudt	Gruenhagen	Kieffer	Newberger	Schomacker	Zerwas

The motion prevailed and the Zellers amendment was referred to the Committee on Rules and Legislative Administration.

Scott moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 13, after line 12, insert:

"(g) Rule 3.33 does not apply to any amendment pertaining to the prevention, or criminal prosecution of child molestation."

Murphy, E., moved that the Scott amendment to the proposed Permanent Rules of the House for the 88th Session, as amended, be referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Murphy, E., motion and the roll was called. There were 70 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Allen	Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen
Anzelc	Erhardt	Hortman	Mahoney	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mariani	Newton	Simon
Benson, J.	Falk	Isaacson	Marquart	Norton	Simonson
Bernardy	Faust	Johnson, S.	Masin	Paymar	Sundin
Bly	Fischer	Kahn	McNamar	Pelowski	Wagenius
Brynaert	Freiberg	Laine	Melin	Persell	Ward, J.E.
Carlson	Fritz	Lenczewski	Metsa	Poppe	Winkler
Clark	Halverson	Lesch	Moran	Radinovich	Yarusso
Davnie	Hansen	Liebling	Morgan	Rosenthal	Spk. Thissen
Dehn, R.	Hausman	Lien	Mullery	Savick	
Dill	Hilstrom	Lillie	Murphy, E.	Sawatzky	

Those who voted in the negative were:

Abeler	Dean, M.	Hackbarth	Kresha	O'Driscoll	Swedzinski
Albright	Dettmer	Hamilton	Leidiger	O'Neill	Torkelson
Anderson, M.	Drazkowski	Hertaus	Lohmer	Peppin	Uglem
Anderson, P.	Erickson, S.	Holberg	Loon	Petersburg	Urdahl
Anderson, S.	Fabian	Hoppe	Mack	Pugh	Wills
Barrett	FitzSimmons	Howe	McDonald	Quam	Woodard
Benson, M.	Franson	Johnson, B.	McNamara	Runbeck	Zellers
Cornish	Green	Kelly	Myhra	Sanders	Zerwas
Daudt	Gruenhagen	Kieffer	Newberger	Schomacker	
Davids	Gunther	Kiel	Nornes	Scott	

The motion prevailed and the Scott amendment was referred to the Committee on Rules and Legislative Administration.

Dettmer moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 13, after line 12, insert:

"(g) Rule 3.33 does not apply to an amendment with the purpose of providing services to unemployed veterans."

Murphy, E., moved that the Dettmer amendment to the proposed Permanent Rules of the House for the 88th Session, as amended, be referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Murphy, E., motion and the roll was called. There were 71 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Allen	Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen
Anzelc	Erhardt	Hortman	Mahoney	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mariani	Newton	Simon
Benson, J.	Falk	Isaacson	Marquart	Norton	Simonson
Bernardy	Faust	Johnson, S.	Masin	Paymar	Sundin
Bly	Fischer	Kahn	McNamar	Pelowski	Wagenius
Brynaert	Freiberg	Laine	Melin	Persell	Ward, J.A.
Carlson	Fritz	Lenczewski	Metsa	Poppe	Ward, J.E.
Clark	Halverson	Lesch	Moran	Radinovich	Winkler
Davnie	Hansen	Liebling	Morgan	Rosenthal	Yarusso
Dehn, R.	Hausman	Lien	Mullery	Savick	Spk. Thissen
Dill	Hilstrom	Lillie	Murphy, E.	Sawatzky	

Those who voted in the negative were:

Abeler	Dean, M.	Hackbarth	Kresha	O'Driscoll	Swedzinski
Albright	Dettmer	Hamilton	Leidiger	O'Neill	Torkelson
Anderson, M.	Drazkowski	Hertaus	Lohmer	Peppin	Uglen
Anderson, P.	Erickson, S.	Holberg	Loon	Petersburg	Urdahl
Anderson, S.	Fabian	Hoppe	Mack	Pugh	Wills
Barrett	FitzSimmons	Howe	McDonald	Quam	Woodard
Benson, M.	Franson	Johnson, B.	McNamara	Runbeck	Zellers
Cornish	Green	Kelly	Myhra	Sanders	Zerwas
Daudt	Gruenhagen	Kieffer	Newberger	Schomacker	
Davids	Gunther	Kiel	Nornes	Scott	

The motion prevailed and the Dettmer amendment was referred to the Committee on Rules and Legislative Administration.

Franson moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 13, after line 12, insert:

"(g) Rule 3.33 does not apply to an amendment with the purpose of protecting seniors from scams, abuse, or fraud."

A roll call was requested and properly seconded.

Murphy, E., moved that the Franson amendment to the proposed Permanent Rules of the House for the 88th Session, as amended, be referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Murphy, E., motion and the roll was called. There were 70 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Allen	Erhardt	Hortman	Mahoney	Nelson	Selcer
Anzelc	Erickson, R.	Huntley	Mariani	Newton	Simon
Atkins	Falk	Isaacson	Marquart	Norton	Simonson
Benson, J.	Faust	Johnson, S.	Masin	Paymar	Sundin
Bernardy	Fischer	Kahn	McNamar	Pelowski	Wagenius
Bly	Freiberg	Laine	Melin	Persell	Ward, J.A.
Brynaert	Fritz	Lenczewski	Metsa	Poppe	Ward, J.E.
Carlson	Halverson	Lesch	Moran	Radinovich	Winkler
Clark	Hansen	Liebling	Morgan	Rosenthal	Yarusso
Davnie	Hausman	Lien	Mullery	Savick	Spk. Thissen
Dehn, R.	Hilstrom	Lillie	Murphy, E.	Sawatzky	
Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen	

Those who voted in the negative were:

Abeler	Dean, M.	Hackbarth	Kresha	O'Driscoll	Swedzinski
Albright	Dettmer	Hamilton	Leidiger	O'Neill	Torkelson
Anderson, M.	Drazkowski	Hertaus	Lohmer	Peppin	Uglem
Anderson, P.	Erickson, S.	Holberg	Loon	Petersburg	Urdahl
Anderson, S.	Fabian	Hoppe	Mack	Pugh	Wills
Barrett	FitzSimmons	Howe	McDonald	Quam	Woodard
Benson, M.	Franson	Johnson, B.	McNamara	Runbeck	Zellers
Cornish	Green	Kelly	Myhra	Sanders	Zerwas
Daudt	Gruenhagen	Kieffer	Newberger	Schomacker	
Davids	Gunther	Kiel	Nornes	Scott	

The motion prevailed and the Franson amendment was referred to the Committee on Rules and Legislative Administration.

Sanders moved to amend the proposed Permanent Rules of the House for the 88th Session, as amended, as follows:

Page 25, line 14, after the period, insert "A motion to move the previous question is not in order on a bill subject to a prefiling requirement under Rule 3.33, unless all prefiled amendments have been either offered or withdrawn."

A roll call was requested and properly seconded.

The question was taken on the Sanders amendment and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeler	Benson, M.	Drazkowski	Gruenhagen	Hoppe	Kresha
Albright	Cornish	Erickson, S.	Gunther	Howe	Leidiger
Anderson, M.	Daudt	Fabian	Hackbarth	Johnson, B.	Lohmer
Anderson, P.	Davids	FitzSimmons	Hamilton	Kelly	Loon
Anderson, S.	Dean, M.	Franson	Hertaus	Kieffer	Mack
Barrett	Dettmer	Green	Holberg	Kiel	McDonald

McNamara	O'Driscoll	Pugh	Schomacker	Uglem	Zellers
Myhra	O'Neill	Quam	Scott	Urdahl	Zerwas
Newberger	Peppin	Runbeck	Swedzinski	Wills	
Nornes	Petersburg	Sanders	Torkelson	Woodard	

Those who voted in the negative were:

Allen	Dorholt	Hornstein	Loeffler	Murphy, M.	Schoen
Anzelc	Erhardt	Hortman	Mahoney	Nelson	Selcer
Atkins	Erickson, R.	Huntley	Mariani	Newton	Simon
Benson, J.	Falk	Isaacson	Marquart	Norton	Simonson
Bernardy	Faust	Johnson, S.	Masin	Paymar	Sundin
Bly	Fischer	Kahn	McNamar	Pelowski	Wagenius
Brynaert	Freiberg	Laine	Melin	Persell	Ward, J.A.
Carlson	Fritz	Lenczewski	Metsa	Poppe	Ward, J.E.
Clark	Halverson	Lesch	Moran	Radinovich	Winkler
Davnie	Hansen	Liebling	Morgan	Rosenthal	Yarusso
Dehn, R.	Hausman	Lien	Mullery	Savick	Spk. Thissen
Dill	Hilstrom	Lillie	Murphy, E.	Sawatzky	

The motion did not prevail and the amendment was not adopted.

The question recurred on the Murphy, E., motion that the Report from the Committee on Rules and Legislative Administration and the proposed Permanent Rules of the House for the 88th Session, as amended, be now adopted and the roll was called. There were 69 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Allen	Dorholt	Hornstein	Mahoney	Nelson	Simon
Anzelc	Erhardt	Hortman	Mariani	Newton	Simonson
Atkins	Erickson, R.	Huntley	Marquart	Norton	Sundin
Benson, J.	Falk	Isaacson	Masin	Pelowski	Wagenius
Bernardy	Faust	Johnson, S.	McNamar	Persell	Ward, J.A.
Bly	Fischer	Kahn	Melin	Poppe	Ward, J.E.
Brynaert	Freiberg	Laine	Metsa	Radinovich	Winkler
Carlson	Fritz	Lenczewski	Moran	Rosenthal	Yarusso
Clark	Halverson	Lesch	Morgan	Savick	Spk. Thissen
Davnie	Hansen	Lien	Mullery	Sawatzky	
Dehn, R.	Hausman	Lillie	Murphy, E.	Schoen	
Dill	Hilstrom	Loeffler	Murphy, M.	Selcer	

Those who voted in the negative were:

Abeler	Dettmer	Hamilton	Leidiger	O'Driscoll	Scott
Albright	Drazkowski	Hertaus	Liebling	O'Neill	Swedzinski
Anderson, M.	Erickson, S.	Holberg	Lohmer	Paymar	Torkelson
Anderson, P.	Fabian	Hoppe	Loon	Peppin	Uglem
Anderson, S.	FitzSimmons	Howe	Mack	Petersburg	Urdahl
Barrett	Franson	Johnson, B.	McDonald	Pugh	Wills
Benson, M.	Green	Kelly	McNamara	Quam	Woodard
Cornish	Gruenhagen	Kieffer	Myhra	Runbeck	Zellers
Daudt	Gunther	Kiel	Newberger	Sanders	Zerwas
Davids	Hackbarth	Kresha	Nornes	Schomacker	

The motion prevailed and the Report from the Committee on Rules and Legislative Administration, as amended, was adopted.

The Permanent Rules of the House for the 88th Session read as follows:

PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES For the 88th Session, 2013-2014

ARTICLE 1 - DAILY BUSINESS

1.01 CONVENING OF THE HOUSE. Unless otherwise ordered, the House convenes at 3:00 p.m. The Speaker must take the chair at the appointed hour and call the House to order.

The call to order is followed by a prayer by the Chaplain or time for a brief meditation, then by the pledge of allegiance to the flag of the United States of America, and then by a call of the roll of members. The names of members present and members excused must be entered in the Journal of the House.

1.02 READING OF THE JOURNAL. If a quorum is present, the Chief Clerk must read the Journal of the preceding day, unless otherwise ordered. The House may correct errors in the Journal of the preceding day.

1.03 ORDER OF BUSINESS. After the Journal is read, the order of business of the day is:

- (1) Presentation of petitions or other communications
- (2) Reports of standing committees and divisions
- (3) Second reading of House bills
- (4) Second reading of Senate bills
- (5) Reports of select committees
- (6) Introduction and first reading of House bills
- (7) Consideration of messages from the Senate
- (8) First reading of Senate bills
- (9) Calendar for the day
- (10) Motions and resolutions

The House may advance or revert from any order of business to any other order of business either without objection, or by majority vote of the whole House.

Conference committees on House bills and the Committee on Rules and Legislative Administration may report at any time.

1.04 REPORTING OF BILLS. A bill must be reported to the House on three different days before its passage, except as provided in Rule 5.02. The first report, called the first reading, occurs when it is introduced; the second report, called the second reading, occurs when it has been reported by the appropriate standing committees and divisions for consideration by the House; the third report, called the third reading, occurs when it is ready for the vote on passage.

1.10 INTRODUCTION OF BILLS AND RESOLUTIONS. A bill or resolution must be submitted to the Speaker at least 24 hours before the convening of the daily session at which it is to be introduced.

A bill or resolution must be introduced in triplicate and each copy must bear the signature of the member or the name of the committee or division introducing it.

In regular session, a bill prepared by a department or agency of state government must be introduced and given its first reading at least ten days before the date of the first committee deadline.

Each annual session, the Committee on Rules and Legislative Administration may designate a date after which a House File may not be introduced during that annual session, unless approved for introduction by the Committee on Rules and Legislative Administration. The date must be at least 14 calendar days after the Committee acts under this paragraph, but no earlier than May 1 of each annual session.

**1.11 FIRST READING AND REFERENCE OF BILLS.** A bill or resolution must be reported and given its first reading when it is introduced. A bill or resolution must not be objected to when it is introduced.

After its first reading, the Speaker must refer a bill or resolution to the appropriate standing committee or division, except as provided in Rule 1.15 and Rule 1.13.

Congratulatory resolutions referred to in Rule 4.02 are exempt from this Rule.

Except as otherwise provided in these Rules, after the Speaker refers a bill or resolution, a majority vote of the whole House is required for the House to re-refer the bill or resolution.

**1.12 AUTHORS OF BILLS AND RESOLUTIONS.** A bill, memorial, or resolution must not have more than 35 authors. After a bill or resolution is introduced and given its first reading: (a) a member may be removed as an author, by motion of the member; and (b) a member wishing to be an author may be added as an author, by motion of the author of the bill or resolution.

**1.13 INTRODUCTION OF COMMITTEE OR DIVISION BILLS.** A standing or special committee of the House or a division of the House may introduce a bill as a committee or division bill on any subject within its purview. When a committee or division bill is introduced and read for the first time, the Speaker may refer it to a standing committee or division. If the Speaker does not refer it, the bill must be laid over one day. Then it must be read for the second time and placed on the General Register.

**1.14 RECESS BILL INTRODUCTIONS.** During the period between the last day of the regular session in an odd-numbered year and the first day of the regular session in the next year, a bill filed with the Speaker for introduction must be given a file number and may be unofficially referred by the Speaker to an appropriate standing committee or division.

**1.15 DISPOSITION OF SENATE FILES.** A Senate File received by the House that is accompanied by a message announcing its passage by the Senate must be referred to the appropriate standing committee or division under Rule 1.11. But if a Senate File is received that a member requests be compared to a House File already reported by a standing committee or division of the House and placed on the General Register or on the Calendar for the Day, the Senate File must be referred to the Chief Clerk for comparison. If the Chief Clerk reports that the Senate File is identical to the House File, the Senate File may, by majority vote, be substituted for the House File and take its place. The fact that the bills are identical must be entered in the Journal and the House File is then considered withdrawn.

A Senate File that is amended on the floor of the House, except at the time of final passage, and a Senate File that has been reported to the House with amendments by a House standing committee or division, must be unofficially engrossed and reprinted by the Chief Clerk. An amendment may be offered to an unofficial engrossment of a Senate File.

1.20 GENERAL REGISTER. The General Register consists of all bills that have received a second reading. Bills must be placed on the General Register in the order that they receive their second reading. A bill must be on the General Register, be given to each member, and be available to the public before it may be considered by the House on the Calendar for the Day or the Fiscal Calendar. Each day that the House meets in session, the Chief Clerk must publish a list of the bills on the General Register.

1.21 CALENDAR FOR THE DAY. The Calendar for the Day is a list of bills that are to be considered that day by the House. The House must consider each item on the Calendar for the Day in the order determined by the presiding officer. After consideration by the House, unless otherwise disposed of, the bill must immediately be given its third reading and placed upon its passage.

A bill that has received its second reading may be placed on the Calendar for the Day by the Committee on Rules and Legislative Administration or by order of the House upon the motion of a member as provided in this Rule.

The Committee on Rules and Legislative Administration must designate the bills that are to be on the Calendar for the Day. During regular session, the Committee must designate the bills by 5:00 p.m. the day before the day that the bills are to be on the Calendar, except that the Committee may designate the bills at any time after a day specified by the Committee on Rules and Legislative Administration. After the Committee designates the bills, the Chief Clerk must publish the Calendar for the Day. In order to trigger a prefiling requirement, the Calendar for the Day must be established in accordance with Rule 3.33.

A bill that is on the General Register for more than ten legislative days may be placed on the Calendar for the Day by a majority vote of the whole House, acting on the motion of a member. A bill placed on the Calendar for the Day in this manner must be considered first the next time that the House reaches the order of business "Calendar for the Day." A member must give notice to the Speaker and the Chief Clerk three legislative days before making a motion to place a bill on the Calendar for the Day. The notice must specify the number and title of the bill. Only the member who gave notice to the Speaker and the Chief Clerk, or another member designated in writing by the member who gave notice, may make the motion to place the bill on the Calendar for the Day. After the third legislative day following the day of notice, the motion must be made the first time that the House reaches the order of business "Motions and Resolutions." If the motion is not made at that time, the member who gave notice forfeits the right to make that motion.

A bill may be continued on the Calendar for the Day by a majority vote of the whole House. A third motion by the author of a bill to continue it on the Calendar for the Day is not in order; upon such a motion, the bill must be stricken from the Calendar and returned to the General Register in the order of its second reading. The Calendar for the Day expires when the House adjourns for the day, unless the House, by a majority vote of the whole House, continues items remaining on the Calendar to the next day.

1.22 FISCAL CALENDAR. A finance bill that has had its second reading must be considered by the House when requested by the Chair of the Committee on Ways and Means or by a designee of the Chair. A bill relating to taxes or raising revenue that has had its second reading must be considered by the House when requested by the Chair of the Committee on Taxes or a designee of the Chair.

During regular session, a chair must announce the intention to make the request by 5:00 p.m. the legislative day before the day that the request for consideration is to be made, except that the Chair may designate the bills at any time after a day specified by the Committee on Rules and Legislative Administration. During periods when the 5:00 p.m. requirement does not apply, the chair must announce the intention at least two hours before making the request. In order to trigger a prefiling requirement a notice given under Rule 1.22 must comply with Rule 3.33.

After consideration by the House on the Fiscal Calendar, unless otherwise disposed of, the bill must immediately be given its third reading and placed upon its passage.

1.30 **THIRD READING OF BILLS.** An amendment must not be received after the third reading of a bill without unanimous consent, except to fill blanks or to amend the title.

At any time before it is passed, a bill or resolution may be referred or re-referred by a majority vote of the whole House. If the committee or division to which it is referred or re-referred reports an amendment to it, the bill or resolution must again be given its second reading and placed on the General Register.

1.40 **PUBLICATION OF BILLS FOR THE HOUSE.** After a bill receives its second reading, the bill must be prepared and published or made electronically available for consideration by the House. A majority of the House may order the publication of a bill at any time.

1.50 **ADJOURNING OF THE HOUSE.** The House may not meet during a legislative day after midnight, except that the House, by majority vote, may meet past the time of adjournment required by this Rule.

## ARTICLE 2 - FLOOR PROCEEDINGS, VOTING, DECORUM

2.01 **ABSENCE OF MEMBERS AND OFFICERS.** Unless illness or other sufficient cause prevents attendance, a member or officer of the House must not be absent from a session of the House without the prior permission of the Speaker.

2.02 **CALL OF THE HOUSE.** Ten members may demand a call of the House at any time until voting begins. After the House is placed under call, a second roll call on any aspect of a call of the House is out of order.

When a call is demanded, the doors of the chamber must be closed, the roll called, and the absent members sent for; and no member is allowed to leave the chamber until the roll call is suspended or completed. During the roll call, no motion is in order except a motion pertaining to matters incidental to the call.

Proceedings under the roll call may be suspended by a majority vote of the whole House. The Sergeant at Arms must not permit a member to leave the Chamber unless the member is excused by the Speaker, or the call of the House has been lifted by a majority vote of the whole House.

2.03 **ROLL CALL VOTE.** A roll call vote is required to pass a bill or to adopt a resolution or motion directing the payment of money. In all other cases a roll call vote may be ordered only if 15 members demand it. When the House is taking a roll call vote on another issue, a roll call vote may not be ordered on a motion that members not voting be excused from voting.

2.04 **EXPLAINING OR CHANGING VOTE.** A member must not explain a vote or discuss the question during a roll call vote. A member must not change a vote or move for the record an intention to have voted or voted differently after the result of the roll call vote is announced from the chair by the Speaker.

2.05 **EVERY UNEXCUSED MEMBER TO VOTE.** A member who has an immediate interest in a question must not vote on it.

Every other member present before the result of a vote is declared by the presiding officer must vote for or against the matter before the House, unless the House excuses the member from voting. But a member is not required to vote on any matter concerning a memorial resolution.

A member who does not vote when the member's name is called must state reasons for not voting. After the vote has been taken but before the presiding officer has announced the result of the vote, the presiding officer must submit to the House the question: "Shall the member, for the reasons stated, be excused from voting?" The question must be decided without debate. After the question is decided, the presiding officer must announce the result of the vote, after which other proceedings about the nonvoting member may take place.

2.10 ELECTRONIC VOTING SYSTEM. An electronic voting system under the control of the Speaker may be used to take any vote except a vote on an election or if the House is currently taking a roll call. A member must not vote on a question except at the member's own seat in the chamber.

2.15 RECORDED FLOOR PROCEEDINGS. Proceedings on the floor of the House must be recorded on an appropriate audio recording medium under the direction of the Chief Clerk. The Chief Clerk must transmit a copy of the recordings to the Director of the Legislative Reference Library. The Legislative Reference Library must keep the recordings available for public use under its rules during the legislative biennium when the recordings were created and for eight years thereafter. The Library may then preserve or dispose of the recordings as the Library sees fit.

A person may obtain a copy of a recording while it is kept in the Library by paying a fee determined by the House Controller to cover the cost of preparing the copy.

Discussion preserved under this Rule is not intended to be admissible in a court or administrative proceeding on an issue of legislative intent.

2.20 DUTIES OF MEMBERS. Members must keep their seats until the Speaker announces adjournment.

A member, before speaking, must rise and respectfully address the Speaker and must not speak further until recognized by the Speaker. If more than one member rises at the same time, the Speaker must select the member to speak first.

2.21 NOTICE OF INTENT TO DEBATE A RESOLUTION. A member may give notice of intent to debate a resolution, except a resolution introduced as a house file or a senate file under Rule 4.02 or a resolution offered by the Committee on Rules and Legislative Administration or the Committee on Ethics.

The notice may be given at any time before the vote is taken on the resolution. If the notice is given, the resolution must be laid over one day without debate or any other action.

2.30 QUESTIONS OF ORDER. If a member violates the Rules in any way, the Speaker must, or another member may, call the member to order. The member called to order must immediately sit down unless another member moves to permit the member who was called to order to explain. In either case, the House, if appealed to, must decide the question without debate. Only if the decision is in favor of the member called to order may that member proceed. The House may censure or punish a member called to order.

2.31 OFFENSIVE WORDS IN DEBATE. If a member is called to order for offensive words in debate, the member calling for order must report the words to which exception is taken and the Clerk must record them. A member must not be held to answer, or be subject to censure of the House, for language used in debate unless exception is taken before another member speaks or other business takes place.

2.32 ORDER IN DEBATE. Except for the member who offered the motion, amendment, or proposition under consideration, a member must not speak more than twice on the subject, without leave of the House, nor more than once until every other member wishing to speak on the subject has had an opportunity to do so.

2.33 ORDER DURING SESSION. A member must not walk out of or across the Chamber while the Speaker is putting the question. A member must not engage in private conversation while another member is speaking or pass between a speaking member and the Chair. A member must not disrupt order and decorum in the Chamber by possessing or using any audiovisual display, including but not limited to placards, signs, photographs, visual aids, or the use of any video images or audio, except for such items that are distributed to members at their desks for the purpose of conducting business of the day.

2.34 PERSONS BY THE CHIEF CLERK'S DESK DURING VOTE. No person may remain by the Chief Clerk's desk during a roll call vote.

2.39 EXECUTIVE BRANCH OR LOBBYIST PRESENCE IN COMMITTEE. No House committee, division or subcommittee shall permit any member or staff of the executive branch, registered lobbyist, or lobbyist principal, to be seated at the committee table with members of the House during official proceedings of committees of the House.

2.40 ADMITTANCE TO FLOOR. No person other than a member may be admitted to the House Chamber, except: properly authorized employees; the Chief Executive and ex-governors of the State of Minnesota; members of the Senate; heads of departments of the state government; judges of the Supreme Court, Court of Appeals, and District Courts; members of Congress; those persons invited to address the body or a joint convention of the house and senate, and guests for such an address or joint convention; a family member of a member; and properly accredited representatives of radio and television stations, newspapers and press associations, as provided for in these Rules.

Any other person may be issued a permit by the Speaker good for the day, but that person must be seated near the Speaker's rostrum, and must not engage in conversation that disturbs the business of the House. Before issuing a permit, the Speaker must make certain that the person does not seek the floor of the House to influence decisions of the House.

The alcoves in the Chambers are for the use of members only, and the Sergeant at Arms must keep them clear of others.

From one hour before the time the House is scheduled to convene until one hour after the House adjourns for the day, the retiring room is reserved for the exclusive use of the members and employees of the House. As long as the Senate prohibits entry of House members into its retiring room, no Senators may enter the House retiring room during the time it is reserved for exclusive use of members and employees. A committee or division meeting must not be held there except emergency meetings authorized by the Speaker. The Sergeant at Arms must strictly enforce this provision.

Unless an extraordinary condition exists the Speaker must not entertain a request to suspend this Rule or present the request of a member for unanimous consent to suspend this Rule.

2.41 MEDIA NEWS REPORTERS. Accredited representatives of the press, press associations, and radio and television stations must be given equal press privileges by the House. A person wishing to report proceedings of the House may apply to the Chief Sergeant at Arms for a media pass and assignment to suitable available space. The Sergeant may coordinate the issuance of media passes with the appropriate senate authority.

Television stations must be permitted to televise sessions of the House. Media representatives must be allowed access to both wells in the gallery of the House chambers.

### ARTICLE 3 - MOTIONS, AMENDMENTS, AND OTHER PROPOSITIONS

3.01 AMENDMENTS AND OTHER MOTIONS. An amendment or other motion must not be debated until after it is stated by the Speaker.

After an amendment or other motion is stated by the Speaker it is in possession of the House, but the mover may withdraw it at any time before it is amended or decided. Unless a motion, resolution, or amendment is withdrawn on the day it is made, it must be entered in the Journal, with the name of the member offering it.

Except as otherwise permitted by the Speaker, an amendment or other motion must be in writing, and five copies of it must be given to the Chief Clerk.

3.02 ORDER OF PUTTING QUESTION; FILLING BLANKS. Except for a privileged question, questions before the House or a committee or division must be put in the order they are moved. In filling a blank, a motion for the largest sum or the longest time must be put first.

3.03 DIVISION OF A QUESTION. A member may request the division of a question that contains more than one separate and distinct point. A motion to strike and insert is not divisible. The failure of a motion to strike does not preclude another motion to amend or to strike and insert.

3.10 PRECEDENCE OF MOTIONS. While a question is under consideration, only the following motions may be received:

- (1) To fix the time of adjournment
- (2) To adjourn
- (3) To lay on the table
- (4) For the previous question
- (5) To refer
- (6) To postpone to a day certain
- (7) To amend
- (8) To postpone indefinitely
- (9) To pass

The first four motions must be decided without debate.

The motions have precedence in the order listed, except that if the motion for the previous question has been properly made, and properly supported, and the main question ordered, the motion to lay on the table is not in order.

3.11 MOTION TO ADJOURN. A motion to adjourn is always in order except during a roll call.

After a motion to adjourn is made, before putting the question, the Speaker may permit any member to state reasons why adjournment might be improper at that time. A statement is not debatable and must be limited to two minutes.

3.12 MOTION TO LAY ON THE TABLE. A motion to lay on the table is not in order on a motion to amend, except that a motion to amend the Rules may be tabled.

3.13 THE PREVIOUS QUESTION. The previous question may be moved by a member who is supported by 15 members.

If the motion for the previous question is ordered by a majority of members present, its effect is to put an end to all debate and bring the House to direct vote upon the question.

Before the presiding officer submits a motion for the previous question to the House, a call of the House is in order. After a majority has ordered the previous question, a call of the House is not in order before the decision on the main question.

When the previous question is decided in the negative, the main question remains under debate until it is disposed of by a vote on the question, by a subsequent motion calling for the previous question under this Rule, or in some other manner.

All incidental questions of order arising after a motion is made for the previous question and before the vote on the main question must be decided without debate.

**3.14 MOTION TO RECONSIDER.** After a question is decided either in the affirmative or negative, a member who voted with the prevailing side may move to reconsider it. The motion must be made on the same day the vote was taken or on either of the next two days that the House meets in session and has possession of the matter. The motion may be made at any time in the Order of Business. It takes precedence over any other question except a motion to adjourn. The motion to reconsider must not be made if the document, bill, resolution, message, report or other subject of official action on which the vote was taken has left the possession of the House.

If a motion to reconsider fails, it must not be renewed.

**3.15 MOTION TO RESCIND.** A motion to rescind is not in order at any time in any proceeding in the House or in any committee or division of the House.

**3.20 AMENDMENTS TO AMENDMENTS.** An amendment may be amended, but an amendment to an amendment must not be amended.

**3.21 MOTIONS AND PROPOSITIONS MUST BE GERMANE.** (a) A motion or proposition on a subject different from that under consideration must not be admitted under guise of its being an amendment. A motion, amendment, or other proposition offered to the House is out of order if it is not germane to the matter under consideration. Whether a proposition is germane to the matter under consideration is a question to be decided by the presiding officer, who may put the question to the House.

(b) An amendment to an amendment on the House floor must relate only to the primary amendment, without introducing any new subject.

**3.22 AMENDMENT TO INCREASE AN APPROPRIATION OR TAX.** The concurrence of a majority of the whole House, determined by a roll call vote, is required to adopt an amendment increasing an appropriation or a tax.

**3.23 CONSTITUTIONAL AMENDMENTS.** A constitutional amendment may not be offered as an amendment to a bill on the floor.

**3.30 EXPENDITURE OF HOUSE FUNDS.** The concurrence of a majority of the whole House, determined by a roll call vote, is required for favorable action on a resolution or motion involving the expenditure of money appropriated by the Legislature to the House. The resolution or motion must be referred to the Committee on Rules and Legislative Administration before being acted on by the House.

**3.33 AMENDMENTS MUST BE PREFILED.** (a) An amendment on a bill being considered on the Calendar for the Day or the Fiscal Calendar is out of order unless the amendment has been filed with the Chief Clerk by 12:00 noon on the calendar day prior to the calendar day the bill next can be considered on the Calendar for the Day or the Fiscal Calendar. If a bill next can be considered by the House on the Calendar for the Day or the Fiscal Calendar on a Monday, an amendment must be filed by 12:00 noon on the prior Friday. An amendment is not out of order under this Rule if it is a technical or revisor's change to a bill or an amendment. Whether an amendment is a technical or revisor's change is a question to be decided by the presiding officer, who may put the question to the House.

(b) Paragraph (a) applies to an amendment to a bill only if by 12:00 noon on the day before the deadline for filing amendments the following has occurred:

(1) the Committee on Rules and Legislative Administration has designated the bill for inclusion on the Calendar for the Day or a chair has announced intention to place the bill on the Fiscal Calendar; and

(2) the version of the bill that will be considered on the Calendar for the Day or the Fiscal Calendar is available to members.

(c) Substitution of language in the House version of a bill for language in the Senate companion bill is not an amendment for purposes of this Rule if notice of the chief author's intent to substitute the House language is given when a bill is placed on the Calendar for the Day or when a chair announces intention to place the bill on the Fiscal Calendar.

(d) When an amendment is filed with the Chief Clerk, the Chief Clerk must have the amendment posted on the House Web site as soon as is practical. The Speaker may specify procedures for filing amendments under this Rule.

(e) An amendment to a prefiled amendment on a bill is out of order unless the amendment to the amendment has been filed with the Chief Clerk six hours after the prefiling deadline under paragraph (a). An amendment to a prefiled amendment is not out of order under this Rule if it is a technical or conforming change to a prefiled amendment. Whether an amendment is a technical or conforming change to a prefiled amendment is a question to be decided by the presiding officer, who may put the question to the House.

(f) An amendment to a bill or a prefiled amendment must include a stamp indicating the date and time that the amendment was drafted.

(g) This Rule may be waived or the deadlines in this Rule may be extended for an individual bill, or waived for all bills after a certain date, by the Committee on Rules and Legislative Administration.

(h) If the Calendar for the Day or the Fiscal Calendar is continued, the prefiling period must be reopened in accordance with paragraphs (a) to (e) of this rule, unless the prefiling period is waived or extended under paragraph (g) of this rule.

**3.34 REFERRAL FOR CORRECTIONS.** The Speaker, either by announcement without objection, or the House, by majority vote of the whole House, may refer a bill or resolution from the General Register, Fiscal Calendar, or Calendar for the Day to the Committee on Rules and Legislative Administration for the purpose of making changes to the bill. A bill so referred must be either further referred by the Committee on Rules and Legislative Administration, in consultation with the Speaker, to a standing committee with jurisdiction over the portion of the bill that is subject to correction or returned to the General Register by the Committee on Rules and Legislative Administration within five days, and if the Committee on Rules and Legislative Administration fails to act within five days, the bill shall be automatically returned to the General Register.

#### ARTICLE 4 - BILLS AND RESOLUTIONS

**4.01 BILL AND RESOLUTION FORM.** A bill or resolution must not be introduced until it has been examined and approved by the Revisor of Statutes as to form and compliance with these Rules and the Joint Rules of the House and Senate. The Revisor's approval must be endorsed on the bill or resolution.

A bill that is divided into articles may include or be accompanied by a table of contents.

**4.02 RESOLUTIONS.** A statement of facts being forwarded for action to a governmental official, agency, or body or other similar proposal is a memorial and must be introduced in the same form and take the same course as a bill. A joint resolution and any resolution requiring the signature of the governor must be introduced in the same form and take the same course as a bill.

A resolution must not authorize expenditure from any source other than the money appropriated by the Legislature to the House.

Congratulatory resolutions do not require consideration or adoption by the House.

A resolution must not be changed to a bill, and a bill must not be changed to a resolution.

**4.03 WAYS AND MEANS COMMITTEE; BUDGET RESOLUTION; EFFECT ON EXPENDITURE AND REVENUE BILLS.** (a) The Committee on Ways and Means must hold hearings as necessary to determine state expenditures and revenues for the fiscal biennium.

(b) Within 25 days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, the Committee on Ways and Means must adopt a budget resolution. The budget resolution: (1) must set the maximum limit on net expenditures for the next fiscal biennium for the general fund, (2) must set an amount or amounts to be set aside as a budget reserve and a cash flow account, (3) must set net spending limits for each budget category represented by the major finance and revenue bills identified in paragraph (e), and (4) may set limits for expenditures from funds other than the general fund. The budget resolution must not specify, limit, or prescribe revenues or expenditures by any category other than those specified in clauses (1), (2), (3), and (4). After the Committee adopts the budget resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless a different or amended resolution is adopted.

(c) During the regular session in the even-numbered year, before the Committee on Ways and Means reports a bill containing net increases or decreases in expenditures as compared to general fund expenditures in the current fiscal biennium estimated by the most recent state budget forecast, the Committee may adopt a budget resolution. If adopted, the resolution must account for the net changes in expenditures. The resolution may also (1) set limits for changes in net expenditures for each budget category represented by the major finance and revenue bills identified in paragraph (e), and (2) set limits for expenditures from funds other than the general fund.

If the Committee adopts a budget resolution, it is effective during the regular session that year, unless a different or amended resolution is adopted.

(d) The major finance or revenue bills may be combined or separated by a majority vote of either the Committee on Ways and Means or the Committee on Rules and Legislative Administration. Combined or separated bills must conform to the limits in the resolution as those limits apply to the accounts in those bills.

(e) Major finance and revenue bills are:

the capital investment bill;

the commerce and consumer protection finance bill;

the education finance bill;

the environment, natural resources, and agriculture finance bill;

the health and human services finance bill;

the higher education finance bill;

the housing finance bill;

the jobs and economic development finance bill;

the judiciary finance bill;

the legacy finance bill;

the public safety finance bill;

the state government and veterans affairs finance bill;

the tax bill; and

the transportation finance bill.

(f) After the adoption of a resolution by the Committee on Ways and Means, each finance committee, and the Committee on Taxes must reconcile each bill described in Rule 4.10 with the resolution. When reporting a finance or revenue bill, each committee or division must provide to the Committee on Ways and Means a fiscal statement reconciling the bill with the resolution.

(g) After the adoption of a resolution by the Committee on Ways and Means, the Committee on Ways and Means must reconcile finance and revenue bills with the resolution. When reporting a bill, the chair of the Committee must certify to the House that the Committee has reconciled the bill with the resolution.

(h) After the adoption of a resolution by the Committee on Ways and Means, an amendment to a bill is out of order if it would cause any of the limits specified in the resolution to be exceeded. Whether an amendment is out of order under this Rule is a question to be decided on the Floor by the Speaker or other presiding officer and in Committee or Division by the person chairing the Committee or Division meeting. In making the determination, the Speaker or other presiding officer or the Committee or Division chair may consider: (1) the limits in a resolution; (2) the effect of existing laws on revenues and expenditures; (3) the effect of amendments previously adopted to the bill under consideration; (4) the effect of bills previously recommended by a Committee or Division or bills previously passed in the legislative session by the House or by the legislature; (5) whether expenditure increases or revenue decreases that would result from the amendment are offset by decreases in other expenditures or increases in other revenue specified by the amendment; and (6) other information reasonably related to expenditure and revenue amounts.

(i) After a resolution is adopted by the Committee on Ways and Means, the Committee must make available a summary of the estimated fiscal effect on the general fund of each bill that has been referred to the Committee on Ways and Means by a finance committee or a division of a finance committee, or the Committee on Taxes and of each bill that has been reported by the Committee on Ways and Means.

**4.05 AMENDMENT LIMITS.** An amendment to a bill that has received its second reading and is being considered by the House is out of order if that amendment would increase the spending or spending base from any fund from which appropriations are made in that bill, or would increase the spending or spending base in total from all funds in the bill or in the bill with the proposed amendment. This rule is only in effect when a budget resolution adopted under Rule 4.03 is not in effect.

In the absence of an adopted budget resolution, this rule does not apply after the last Thursday on which the Legislature can meet in regular session in odd-numbered years, and after the last Thursday on which the Legislature intended, when it adopted the concurrent resolution required by Joint Rule 2.03, to meet in regular session in even-numbered years, or after a date specified by the Committee on Rules and Legislative Administration.

This provision does not apply when a Senate bill is accepted for substitution under Rule 1.15, or in the event that the language that was in the House version of the bill prior to a substitution under Rule 1.15, is adopted in its entirety as an amendment to a Senate file received by the House.

**4.10 BILLS AFFECTING STATE REVENUES AND EXPENDITURES.** (a) Except as provided in Rule 1.15, a House or Senate bill that directly, substantially, and specifically affects any present or future financial obligation, budget policy, or revenue of the State must be referred as provided in paragraphs (b) and (c) to the appropriate Committee before the bill receives its second reading. A bill that negligibly affects any present or future financial obligation, budget policy, or revenue of the State is not subject to mandatory referral under this rule.

(b) A bill subject to paragraph (a) reported by a finance committee must, if recommended to pass, be subsequently referred to the Ways and Means Committee, unless the bill has a negligible fiscal impact and is subject to direct reference to the Floor under Rule 6.05.

(c) A bill with a substantial impact on the tax revenues or tax policies of the State must be referred to the Committee on Taxes. A bill reported by the Committee on Taxes containing a substantial fiscal impact must be referred to the Committee on Ways and Means. For purposes of this paragraph, "tax" excludes any fee, charge, exaction, or assessment, a primary purpose of which is to recover direct or indirect costs incurred by the state or other governmental entity or as a payment for benefits received.

(d) The chairs of the Committees on Taxes and Ways and Means shall advise the Speaker on the application of this rule and may determine whether or not any given piece of legislation must be referred to the committee they chair.

**4.12 BILLS AFFECTING DEBT AND CAPITAL PROJECTS.** The Committee on Capital Investment has jurisdiction over legislation affecting debt obligations issued by the state and capital projects of the state, including the planning, acquiring and bettering of public lands and buildings and other state projects of a capital nature. Except as provided in Rule 1.15, a House or Senate bill that directly and specifically affects debt obligations or capital projects of the state must be referred to the Committee on Capital Investment before the bill receives its second reading.

Referral is not required by this Rule if the bill deals primarily with the financing of state capital facilities using trunk highway funds, with transportation projects financed without debt obligations of the state, or with the local financing of capital facilities of local governments. Referral is not required by this Rule if the bill has a negligible effect on debt obligations and capital projects of the state as determined by the chair of the Committee on Ways and Means, in conjunction with the chair of the Committee on Capital Investment. Referral is not required by this Rule if the bill is a major finance or revenue bill identified in Rule 4.03, unless the bill directly and specifically affects debt obligations of the state, but if a major finance or revenue bill contains a provision that directly and specifically affects capital projects of the state, the chair of the finance or tax committee reporting the bill must notify the chair of the Committee on Ways and Means and the chair of the Committee on Capital Investment of the provision before the bill is considered by the House.

The Speaker, by announcement, must assign to each finance committee the appropriate jurisdiction for recommendations on debt obligations and capital projects of the state. Finance committees must submit recommendations within their jurisdiction to the Committee on Capital Investment for further disposition.

A bill with a fiscal effect reported by the Committee on Capital Investment must be accompanied by a statement of its fiscal effect, is exempt from the referral required by Rule 4.10, is subject to the same committee deadlines as the Committee on Ways and Means, and must be referred to the Committee on Ways and Means. This referral is not required if the bill has a negligible fiscal effect, as determined by the chair of the Committee on Capital Investment with the concurrence of the chair of the Committee on Ways and Means.

4.13 **BILLS AFFECTING STATE GOVERNMENT POWERS AND STRUCTURE.** The Committee on Government Operations has jurisdiction over a House or Senate bill that:

(a) establishes or reestablishes a department, agency, commission, board, task force, advisory committee or council, or bureau, or other like entity;

(b) delegates rulemaking authority to, or exempts from rulemaking, a department or agency of state government; or

(c) substantially changes the organization of a department or agency of state government or substantially changes, vests or divests the official rights, powers, or duties of an official, department or agency of state government or an institution under its control.

Except as otherwise provided in this Rule and Rule 1.15, a bill that is within the jurisdiction of the Committee on Government Operations must be referred to that Committee before it receives its second reading. A committee or division (other than the Committee on Government Operations) reporting such a bill must recommend its re-referral to the Committee on Government Operations if reporting before the deadline for action on the bill by that Committee; if reporting after the deadline, the committee or division must recommend re-referral to the Committee on Rules and Legislative Administration.

The re-referral requirements of this Rule do not apply to a bill if the Committee on Government Operations already has approved the bill or the substance of the matter that otherwise would require re-referral under this Rule. The Chair of the Committee on Government Operations shall advise the Speaker on the application of this Rule and may determine whether or not a bill must be referred to the Committee under this Rule.

4.14 **BILLS PROPOSING MEMORIALS.** A bill or amendment that proposes to have a memorial placed in the Capitol area must be referred to the Committee on Rules and Legislative Administration.

4.15 **BILLS PROPOSING CONSTITUTIONAL AMENDMENTS.** A House or Senate bill that proposes a constitutional amendment must be referred to the Committee on Rules and Legislative Administration before it receives its second reading. When reporting such a bill, a committee or division, other than the Committee on Rules and Legislative Administration, must recommend re-referral to the Committee on Rules and Legislative Administration.

4.16 **BILLS AFFECTING GOVERNMENT DATA PRACTICES.** The Committee on Civil Law has jurisdiction over a House or Senate bill that substantially affects either Minnesota Statutes, Chapter 13, or other government data practices statutes. Except as otherwise provided in this Rule and Rule 1.15, a bill that is within the jurisdiction of the Committee on Civil Law must be referred to that committee before it receives its second reading. A committee or division reporting such a bill must recommend its re-referral to the Committee on Civil Law if reporting before the deadline for action on the bill by that committee; if reporting after the deadline, the committee or division must recommend re-referral to the Committee on Rules and Legislative Administration. The re-referral requirement of this Rule does not apply to a bill if the Committee on Civil Law already has approved the bill or the substance of the matter that otherwise would require re-referral under this Rule. The Chair of the Committee on Civil Law shall advise the Speaker on the application of this Rule and may determine whether or not a bill must be referred to the Committee under this Rule.

4.20 **DISPOSITION OF BILLS DURING INTERIM.** Adjournment of the regular session in an odd-numbered year to a day certain in the next year is the same as daily adjournment except that a bill on the Calendar for the Day, Fiscal Calendar, or General Register must be returned to the standing committee or division that last acted on the bill.

4.30 **RECALLING BILL FROM COMMITTEE OR DIVISION.** A bill or resolution may be recalled from a committee or division at any time by majority vote of the whole House, be given a second reading and be placed on the General Register. A motion to recall a bill or resolution is in order only under the order of business "Motions and Resolutions." This Rule does not apply in a special session or after the deadline for committee reports on House files.

4.31 TIME LIMIT TO CONSIDER BILLS. If 20 legislative days after a bill has been referred to a committee or division (other than the Committee on Ways and Means, the Committee on Taxes, or a division of one of those committees) a report has not been made on it by the committee or division, its chief author may request that it be returned to the House. The request must be entered in the Journal.

The committee or division must vote on the bill requested within ten calendar days after the day of the request.

If the committee or division fails to vote on it within ten days, the chief author may present a written demand to the Speaker for its immediate return to the House. The demand must be presented within five calendar days after the day that the committee or division is required to vote. If the demand is presented in the time allowed, it must be entered in the Journal and is the demand of the House. The bill is then considered to be in the possession of the House and must be given its second reading and placed on the General Register.

The bill may be re-referred by a majority vote of the whole House. If the motion to re-refer is made on the day of the demand or on the next House legislative day, the motion takes precedence over all other motions except privileged motions and is in order at any time.

#### ARTICLE 5 - PARLIAMENTARY PRACTICE

5.01 SUSPENSION OR AMENDMENT OF THE RULES. The concurrence of two-thirds of the whole House is required to suspend or amend a Rule of the House, except that any amendment to the Rules reported by the Committee on Rules and Legislative Administration may be adopted by a majority of the whole House.

Except as provided in Rule 5.02, a motion to suspend or amend any Rule of the House must be made under the order of business "Motions and Resolutions." If the motion is made at another time, unanimous consent is required before the Speaker may entertain the motion.

A motion to suspend the Rules, together with the subject matter to which it pertains, is debatable, but the previous question may be applied to the motion under Rule 3.13.

5.02 SUSPENSION OF RULES TO ADVANCE A BILL. A bill must be reported on three different days as provided in Rule 1.04, except that in case of urgency, a two-thirds majority of the whole House may suspend this requirement. A motion to suspend the Rules to advance a bill for consideration out of its regular order is in order under the order of business "Motions and Resolutions" or at any time the bill is before the House. The motion must be presented to the Speaker in writing and must describe the status of the bill.

5.03 DEFINITIONS. In these Rules the terms "majority vote" and "vote of the House" mean a majority of members present for the vote. The term "vote of the whole House" means a majority of all the members elected to the House.

Singular words used in these Rules include the plural, unless the context indicates a contrary intention.

5.04 AUTHORIZED MANUAL OF PARLIAMENTARY PROCEDURE. "Mason's Manual of Legislative Procedure" governs the House in all applicable cases if it is not inconsistent with these Rules, the Joint Rules of the Senate and House of Representatives, or established custom and usage.

5.05 CONFLICT OF RULES. When there is a conflict between a single House Rule and a single Joint Rule, the Speaker shall make a ruling as to which applies.

ARTICLE 6 - COMMITTEES, DIVISIONS, AND REPORTS

6.01 COMMITTEES AND DIVISIONS. Standing committees and divisions of the House must be appointed by the Speaker as follows:

Agriculture Policy

Capital Investment

Civil Law

Commerce and Consumer Protection Finance and Policy

Early Childhood and Youth Development Policy

Education Finance

Education Policy

Elections

Energy Policy

Environment and Natural Resources Policy

Environment, Natural Resources, and Agriculture Finance

Ethics

Government Operations

Health and Human Services Finance

Health and Human Services Policy

Higher Education Finance and Policy

Housing Finance and Policy

Jobs and Economic Development Finance and Policy

Judiciary Finance and Policy

Labor, Workplace, and Regulated Industries

Legacy

Public Safety Finance and Policy

Rules and Legislative Administration

State Government Finance and Veterans Affairs

## Taxes

Property and Local Tax Division

## Transportation Finance

## Transportation Policy

## Ways and Means

6.02 COMMITTEE AND DIVISION MEMBERSHIP. At least 30 days before the start of a regular session of the Legislature, the Speaker-designate must provide the minority political party caucuses with a list of the standing committees and divisions proposed for the session. The Speaker-designate must prescribe the number of minority caucus members to be appointed to each committee and division and may require general membership guidelines to be followed in the selection of committee and division members.

If the minority leader submits to the Speaker-designate, at least 15 days before the start of the session, a list of proposed committee and division assignments for the minority caucus that complies with the numbers and guidelines provided, the Speaker must make the proposed assignments with the purpose of attaining proportionate representation on the committees and divisions for the minority caucus.

A committee of the House must not have exclusive membership from one profession, occupation or vocation.

A member must not serve as the chair of the same standing committee or division, or a standing committee or division with substantially the same jurisdiction, during more than the three immediately prior consecutive regular biennial sessions. This Rule does not apply to service as chair of the Committee on Rules and Legislative Administration.

6.03 APPOINTMENTS TO BOARDS AND COMMISSIONS. Upon the convening of the biennial session, the Speaker must notify the members of the House of each board or commission to which a member of the House may be appointed by the Speaker. The Speaker must request advice from the minority leader on these appointments.

6.04 SUBCOMMITTEES. The chair of a committee or division must appoint the chair and members of each subcommittee with the advice and consent of the Speaker. The chair or the committee or division may refer bills to a subcommittee. A subcommittee may exercise the authority delegated to it by the chair or by the committee or division.

6.05 DIVISIONS. (a) If the Speaker or the House refers a bill to a division, the bill remains in that division until the House moves the bill from the division or approves a report from the division that moved the bill from that division. A division report under this paragraph is subject to Rule 6.30.

(b) The chair of a committee may refer a bill within the possession of the committee to a division of that committee. When the chair refers a bill to a division under this paragraph, the chair may recall the bill from the division. A committee chair referring or recalling a bill under this paragraph must give written notice of the referral or recall as soon as possible to the Chief Clerk for publication. To the extent practical, the Chief Clerk must attempt to provide notice on the House Web site of referrals and recalls of bills under this paragraph.

(c) The chair of a division must cause division records to be kept in a manner consistent with Rule 6.24.

(d) Division meetings are subject to Rule 6.20.

(e) Divisions are subject to Rule 6.21.

6.10 THE COMMITTEE ON ETHICS. The Speaker must appoint a Committee on Ethics consisting of four members: two members from the majority political party caucus, and two from the minority caucus. One alternate from each caucus must also be appointed. The committee must adopt written procedures, which must include due process requirements, for handling complaints and issuing guidelines.

A complaint may be brought about conduct by a member that violates a rule or administrative policy of the House, that violates accepted norms of House behavior, that betrays the public trust, or that tends to bring the House into dishonor or disrepute.

A complaint about a member's conduct must present with specificity the factual evidence supporting the complaint. A complaint must be in writing, under oath and signed by two or more members of the House, and submitted to the Speaker. Before submitting the complaint to the Speaker, the complainants must cause a copy of it and any supporting materials to be delivered to any member named in the complaint. Within seven days after receiving a complaint, the Speaker must refer the complaint to the Ethics Committee for processing by the committee according to its rules of procedure.

The existence and substance of a complaint, including any supporting materials, and all proceedings, meetings, hearings, and records of the Ethics Committee are public; except that the committee, upon a majority vote of the whole committee, may meet in executive session to consider or determine the question of probable cause, to consider a member's medical or other health records, or to protect the privacy of a victim or a third party.

A complaint of a breach of confidentiality by a member or employee of the House must be immediately referred by the Speaker to the Ethics Committee for disciplinary action.

The committee must act in an investigatory capacity and may make recommendations regarding complaints submitted to the Speaker before adjournment sine die. With the approval of the Speaker, the committee may retain a retired judge or other nonpartisan legal advisor to advise and assist the committee, as the committee considers appropriate and necessary in the circumstances of the case, in conducting the proceedings and obtaining a complete and accurate understanding of the information relevant to the conduct in question.

Ethics Committee recommendations for disciplinary action must be supported by clear and convincing evidence and must be reported to the House for final disposition.

6.20 COMMITTEE MEETING SCHEDULE; DEADLINES. The Speaker must prepare and publish a schedule of committee meetings, fixing as far as practicable the regular meeting day and time of each committee.

The chair of a committee must give written notice of a special meeting or a change in the regular schedule of meetings. The notice may be announced from the desk and must be posted in public notice locations maintained by the House. The notice must be posted at least one day in advance of the change.

As far as practicable, the chair of a committee must give three days notice of the date, time, place and agenda for each meeting.

Meeting notices must indicate when alternative media will be used to conduct the meeting.

During the first ten weeks of the session in the odd-numbered year and the first five weeks of the session in the even-numbered year, a standing committee must not have a regularly scheduled meeting after noon on Friday, but the Speaker may approve a special meeting of a committee during this time.

A committee must not meet between 12:00 midnight and 7:00 a.m.

Only the Committee on Rules and Legislative Administration may meet during a daily session of the House without leave.

The House shall establish deadlines for each regular session by resolution.

6.21 COMMITTEE PROCEDURES. Meetings of House committees must be open to the public except for executive sessions that the committee on ethics considers necessary under Rule 6.10. For purposes of this requirement, a meeting occurs when a quorum is present and action is taken regarding a matter within the jurisdiction of the committee. This requirement does not apply to a meeting of members of a committee from the same political party caucus.

A majority of members of a committee is a quorum.

The Rules of the House must be observed in committee if they are applicable.

An amendment offered in committee must be on a subject that is within the jurisdiction of the committee. Whether an amendment is on a subject that is within the jurisdiction of the committee is a question to be decided by the person chairing the meeting, who may put the question to the committee.

A member of a committee may demand a roll call vote on any bill, resolution, report, motion or amendment before the committee. If a demand is made, the roll must be called. The name of the member demanding the roll call and the vote of each member must be recorded in the committee minutes.

A committee may reconsider an action while the matter remains in the possession of the committee. A committee member need not have voted with the prevailing side to move to reconsider the action.

The chair of a committee, after consultation with the Speaker, may establish written procedures for the submission of amendments to the committee, the setting of committee agendas, and other matters pertaining to the conduct of the committee's business. Before implementing the written procedures, the chair must provide a copy of them to the Speaker and to each member of the House and must make copies available to others upon request.

6.22 PUBLIC TESTIMONY. Public testimony from proponents and opponents must be allowed on every bill or resolution before a standing committee, division or subcommittee of the House.

6.23 OPEN MEETING ENFORCEMENT. A person may submit to the Speaker a complaint alleging a violation of the open meeting requirements of Rule 6.21. The complaint must be in writing. On receiving a complaint, the Speaker, or a person designated by the Speaker, must investigate the complaint promptly. If the Speaker concludes, following investigation, that a violation of the open meeting Rule may have occurred, the Speaker must refer the complaint to the Committee on Ethics for further proceedings.

6.24 COMMITTEE RECORDS. The chair of a standing committee must cause a committee record to be kept, in the form prescribed by the Committee on Rules and Legislative Administration. The record must include the record of committee proceedings on each bill referred to the committee and the minutes of the committee and any subcommittees.

The committee and subcommittee minutes must include:

- a. the time and place of each hearing or meeting;
- b. the names of committee or subcommittee members who are present;

c. the name and address, at the Chair's discretion, of each person appearing before the committee or subcommittee, together with the name and address of the person, association, firm or corporation in whose behalf the appearance is made;

d. the language of each motion, the name of the member making the motion, the result of a vote on the motion, and, on a roll call vote, the names of those in favor and those opposed;

e. the date on which a subcommittee is established, the names of its members and the file number of bills referred to it and reported by it;

f. other important matters related to the work of the committee or subcommittee.

The minutes must be approved at the next regular meeting of the committee or subcommittee.

At the end of two business days after approval by the committee or subcommittee, copies of the minutes must be filed with the Chief Clerk and be open to public inspection in the Chief Clerk's office and on the House Web site.

At the end of the legislative biennium minutes and other records must be delivered to the Director of the Legislative Reference Library.

Audio recordings of Committee and Subcommittee meetings must be made available for public use by the end of the business day following each meeting. The chair of a committee who elects not to release the recording of a committee meeting until the minutes of the meeting are approved by the committee must make a copy of the recording available by the end of the next business day after a written request for it is made to the committee. The House must keep the recordings of committee meetings available for public use during the legislative biennium in which they were created and, at the end of the legislative biennium, must transmit a copy of the recordings to the Director of the Legislative Reference Library.

The Legislative Reference Library must keep committee records and recordings available for public use under its rules for eight years after the end of the legislative biennium during which the materials were created and then may preserve or dispose of the recordings as the Library sees fit.

A person may obtain a copy of a recording during the legislative biennium in which it is created by paying a fee determined by the House Controller to cover the cost of preparing the copy. A person may obtain a copy of a recording while it is kept in the Library by paying a fee determined by the House Controller to cover the cost of preparing the copy. A person may obtain a copy of a page of committee minutes or other records for a fee determined by the House Controller to cover the cost of preparing the copy. A copy of a recording must be provided free to a member or staff of the House upon request for use in legislative business.

Testimony and discussion preserved under this Rule are not intended to be admissible in a court or administrative proceeding on an issue of legislative intent.

**6.30 COMMITTEE REPORTS.** The House must adopt or reject a committee report on a bill or resolution without amendment.

The chair of a standing committee reporting to the House on a bill or resolution must use the form provided for committee reports. Each bill or resolution must be reported separately. The report must state the action taken by the committee and the date of the action. The report must be authenticated by the signature of the chair.

Before a committee reports favorably on a bill or resolution, the chair must see that the form of the bill or resolution conforms to these Rules and the Joint Rules of the House and Senate.

Except during the last seven legislative days in a year, the committee report and any minority report must be submitted to the Chief Clerk at least four hours before the convening of the daily session. The Committee on Rules and Legislative Administration may report at any time.

6.31 SUBSTITUTION OF BILLS. A standing or special committee or division or its members must not report a substitute for a bill referred to the committee or division if the substitute relates to a different subject, is intended to accomplish a different purpose, or requires a title essentially different from that of the bill referred. If the House is advised that a substitute bill reported to the House violates this Rule, the report must not be adopted.

6.32 MINORITY REPORTS. A minority report must be made separately from the majority report and must be considered before the majority report. If the minority report is adopted the majority report must not be considered. If the minority report is not adopted the majority report must then be considered.

6.40 REPORTS OF CONFERENCE COMMITTEES. A conference committee may report at any time and may meet during a daily session of the House without leave. A conference committee report must be electronically available or printed.

A conference committee report must include only subject matter contained in the House or Senate versions of the bill for which that conference committee was appointed, or like subject matter contained in a bill passed by the House or Senate. The member presenting the conference committee report to the House must disclose all substantive changes from the House version of the bill.

6.50 COMMITTEE OR DIVISION REPORT LAID OVER. The report of any committee or division may be laid over one day and printed in the Journal, if so ordered by the House.

#### ARTICLE 7 - OFFICERS OF THE HOUSE

7.01 DUTIES AND PRIVILEGES OF THE SPEAKER. The Speaker must preside over the House and has all the powers and duties of the presiding officer.

The Speaker must preserve order and decorum. The Speaker may order the lobby or galleries cleared in the case of disorderly conduct or other disturbance.

Except as otherwise provided by rule or law, the Speaker has general control of the Chamber of the House and of the corridors, passages and rooms in the Capitol and State Office Building under the jurisdiction of the House.

The Speaker must sign all acts, addresses, joint resolutions, writs, warrants and subpoenas of the House or issued by order of the House. The Speaker must sign all abstracts for the payment of money from funds appropriated by the Legislature to the House; but money must not be paid unless the abstract is also signed by the Controller of the House. Abstracts for compensation of members must be signed by the Chief Clerk pursuant to law.

The Speaker must appoint the Chief Sergeant at Arms or must designate that officer from among the Sergeants at Arms elected by the House or appointed by the Committee on Rules and Legislative Administration.

When an elected office of the House becomes vacant, the Speaker must designate a person to exercise the powers and discharge the duties of the office as necessary until a successor is elected by the House.

7.02 SUCCESSOR IN OFFICE OF SPEAKER. When the office of Speaker becomes vacant, the Chair of the Committee on Rules and Legislative Administration has the powers and must discharge the duties of the office as necessary, until a Speaker is elected by the House or until a speaker-designate is selected as provided in this Rule. The House must elect a Speaker when the House is next called to order. If the Legislature is not in session, within

30 days after the office of Speaker becomes vacant the Committee on Rules and Legislative Administration must meet and select a speaker-designate to exercise the powers and discharge the duties of the office as necessary until a Speaker is elected by the House.

7.05 SPEAKER PRO TEMPORE. The Speaker must appoint one or more members as Speaker pro tempore. A Speaker pro tempore must preside in the Speaker's absence. In the absence of the Speaker and a Speaker pro tempore, a member selected by the Speaker must preside until the Speaker or Speaker pro tempore returns.

7.06 SPEAKER EMERITUS. Any current member having served the House in the capacity of Speaker will, subsequent to that service, be known as Speaker Emeritus, and may perform such ceremonial functions and duties as assigned by the Speaker.

7.10 DUTIES OF CHIEF CLERK. The Chief Clerk has general supervision of all clerical duties pertaining to the business of the House. The Chief Clerk must perform, under the direction of the Speaker, all the duties of the office of Chief Clerk. The Chief Clerk must keep records showing the status and progress of all bills, memorials and resolutions.

During a temporary absence of the Chief Clerk, the First Assistant Chief Clerk has all the usual responsibilities of the Chief Clerk and may sign the daily journal, enrollments, abstracts and other legislative documents.

The Chief Clerk must supervise the engrossment and enrollment of bills. The Chief Clerk must see that a record is kept, by file number, of the bills introduced in the House that passed both houses and are enrolled.

The Chief Clerk must ensure that locations accessible to the public are available to post a list of committee and subcommittee meetings and any other announcements or notices the House may require.

The Index Clerk, supervised by the Chief Clerk, must prepare an index in which bills may be indexed by topic, number, author, subject, section of the statutes amended, committees, divisions, and any other method that will make it a complete and comprehensive index.

The index must be open for public inspection during the legislative session and must be printed in the permanent Journal.

7.20 DUTIES OF THE SERGEANT AT ARMS. The Sergeant at Arms must carry out all orders of the House or the Speaker and perform all other services pertaining to the office of Sergeant at Arms, including: maintaining order in the Chamber and other areas used for the business of the House and its committees and divisions and members; supervising the entering and exiting from the Chamber and the other areas; and promptly delivering messages.

## ARTICLE 8 - ADMINISTRATION OF THE HOUSE

8.01 BUDGET AND FINANCIAL AFFAIRS. The House Controller must prepare a biennial budget for the House. The budget must be approved by the Committee on Rules and Legislative Administration before it is submitted to the State Government Finance and Veterans Affairs Committee. By the 15th day of April, July, October, and January of each year, the Controller must submit a detailed report of House expenditures during the previous quarter to the Speaker and the Committee on Rules and Legislative Administration.

The House Controller must arrange for the purchase of goods and services for the House. The Controller must seek the lowest possible prices consistent with satisfactory quality and dependability. A contract of the House, or an amendment to a contract, authorizing an expenditure of more than \$500 must be signed by the Speaker or the Controller. A contract, or an amendment to a contract, authorizing an expenditure of up to \$500 may be executed by

an employee authorized and directed in writing by the Controller to act for the Controller on the contract or contracts of its type. A contract or amendment to a contract entered into in violation of this Rule is not binding on the House. The House Controller must consult with an adaptive technology expert to identify commercially available upgrades for computers and Internet technology that are compatible with adaptive speech technology prior to purchasing upgrades.

Employees of the House must be reimbursed for actual expenses in the same manner as state employees.

During session, for travel away from the Capitol, members must be reimbursed for actual expenses, in addition to per diem expense allowances, in the manner and amount prescribed by the Committee on Rules and Legislative Administration.

8.02 MEMBER OFFICES. Members not seeking re-election are required to vacate their House offices by December 1 of their last year of service. Members who are not re-elected are required to vacate their House offices by December 15 of their last year of service. The Sergeants Office will arrange usable space for these members after their offices are vacated, if requested to do so, and shall accommodate all serving members in the event of a special session.

8.10 COMMITTEE AND DIVISION BUDGETS AND EXPENSES. The Committee on Rules and Legislative Administration must establish a budget for each standing committee and division of the House for expenses incurred by the committee or division, its members, and its staff in conducting its legislative business. Per diem expense allowances paid to members during sessions or at times set by the Speaker or the Committee on Rules and Legislative Administration must not be charged against the budget. A committee or division must not incur expenses in excess of its authorized budget.

All charges against the committee or division budget must be approved by the chair before payment is made.

8.20 APPOINTMENT OF EMPLOYEES. The Committee on Rules and Legislative Administration must designate the position of and appoint each employee of the House and set the compensation of each officer and employee. A record of the appointments, including positions and compensation, must be kept in the office of the House Controller and must be available for inspection by the public.

The Committee on Rules and Legislative Administration must establish the procedure for filling employment vacancies when the Legislature is not in session.

An employee of the House may be assigned to other duties, suspended or discharged at any time by the Committee on Rules and Legislative Administration.

8.30 LEGAL REPRESENTATION. An employee of the nonpartisan House Research Department may not represent the House or its members as counsel of record, in a judicial or administrative proceeding.

## ARTICLE 9 - CONDUCT

9.01 CODE OF CONDUCT. The Committee on Rules and Legislative Administration, after receiving the recommendation of the Committee on Ethics, must establish and maintain a code of conduct for members, officers and employees of the House.

9.05 CAMPAIGN ACTIVITIES. An employee of the House must not participate in campaign activity during working hours. An employee must not be obliged to participate in campaign activities as a condition of employment. A member is not an employee of the House for purposes of this Rule. House equipment must not be used for campaign activities. The Committee on Rules and Legislative Administration must define the terms of and implement this Rule.

9.10 SOLICITATIONS DURING LEGISLATIVE SESSION. During regular or special session, a member of the House, a political party caucus, the member's principal campaign committee, a political committee with the member's name or title, or a committee authorized by the member that benefits the member, must not solicit or accept a contribution from a registered lobbyist, corporation, labor union, political committee, dissolving principal campaign committee, political fund, or a tribal organization.

A member must not accept compensation for lobbying.

9.20 ACCEPTANCE OF AN HONORARIUM BY A MEMBER. A member must not accept an honorarium for a service performed for an individual or organization that has a direct interest in the business of the House, including, but not limited to, a registered lobbyist or an organization a lobbyist represents. The term "honorarium" does not include reimbursement for expenses incurred and actually paid by a member in performing a service.

Alleged violations of this Rule must be referred to the Committee on Ethics under Rule 6.10. If the Committee on Ethics finds that an honorarium was accepted in violation of this Rule, the Committee must direct its return. If it is not returned, the committee may recommend disciplinary action under Rule 6.10.

9.21 ACCEPTANCE OF TRAVEL AND LODGING BY A MEMBER OR EMPLOYEE. A member or employee of the House must not accept travel or lodging from any foreign government, private for-profit business, labor union, registered lobbyist, or an association thereof, except payment permitted by law of expenses that relate to the member's or employee's participation as a legislator or legislative employee in a meeting or conference. This Rule does not apply to travel or lodging provided to a member in the regular course of the member's employment or business.

9.30 DENIAL OF COMPENSATION WHILE DETAINED. A member must not receive compensation, mileage, or living expenses while the member is incarcerated or on home detention due to a criminal conviction.

9.35 BAN ON LOBBYING. Former state legislators must not register as lobbyists within one year from the date they leave office.

9.40 NO SMOKING IN HOUSE AREAS. Smoking is prohibited in the areas of the Capitol and State Office Building under the jurisdiction of the House, including the House Chamber and Retiring Room and galleries, hearing rooms, minor corridors and offices, private offices, and lounges.

## MOTIONS AND RESOLUTIONS

Poppe moved that the name of Petersburg be added as an author on H. F. No. 251. The motion prevailed.

Halverson moved that the name of Hortman be added as an author on H. F. No. 262. The motion prevailed.

Franson moved that the name of Kahn be added as an author on H. F. No. 293. The motion prevailed.

Melin moved that the name of Ward, J.E., be added as an author on H. F. No. 330. The motion prevailed.

Simon moved that the names of Liebling, Hausman and Newton be added as authors on H. F. No. 335. The motion prevailed.

Davnie moved that the name of Paymar be added as an author on H. F. No. 353. The motion prevailed.

Newton moved that the name of Paymar be added as an author on H. F. No. 356. The motion prevailed.

Mullery moved that the name of Paymar be added as an author on H. F. No. 357. The motion prevailed.

Simon moved that the names of Bly, Freiberg, Rosenthal and Erhardt be added as authors on H. F. No. 367. The motion prevailed.

Newton moved that the name of Rosenthal be added as an author on H. F. No. 371. The motion prevailed.

Clark moved that the name of Erhardt be added as an author on H. F. No. 379. The motion prevailed.

Benson, J., moved that the name of Bly be added as an author on H. F. No. 382. The motion prevailed.

Urdahl moved that the names of Petersburg and Schomacker be added as authors on H. F. No. 386. The motion prevailed.

Fritz moved that the name of Bly be added as an author on H. F. No. 390. The motion prevailed.

Benson, J., moved that the name of Rosenthal be added as an author on H. F. No. 391. The motion prevailed.

Melin moved that the name of Mullery be added as an author on H. F. No. 392. The motion prevailed.

Fritz moved that the name of Bly be added as an author on H. F. No. 394. The motion prevailed.

Benson, J., moved that the name of Erhardt be added as an author on H. F. No. 396. The motion prevailed.

Atkins moved that the name of Bly be added as an author on H. F. No. 398. The motion prevailed.

Hamilton moved that the name of Torkelson be added as an author on H. F. No. 407. The motion prevailed.

Norton moved that the name of Newton be added as an author on H. F. No. 408. The motion prevailed.

Norton moved that the name of Albright be added as an author on H. F. No. 409. The motion prevailed.

Drazkowski moved that the names of Nornes and Dean, M., be added as authors on H. F. No. 419. The motion prevailed.

Davids moved that his name be stricken as an author on H. F. No. 425. The motion prevailed.

Fritz moved that H. F. No. 220 be recalled from the Committee on Early Childhood and Youth Development Policy and be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

#### ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 12:00 noon, Wednesday, February 13, 2013. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Wednesday, February 13, 2013.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives